

## EXTENSIONS OF REMARKS

MAYOR TOM CUNNINGHAM, A MAN  
FOR THE PEOPLE

**HON. BUD SHUSTER**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. SHUSTER. Mr. Speaker, I take the floor today to recognize one of the great men in my district. In the words of Edmund Burke, one of the great statesmen to serve in the British House of Commons, "Great men are the guideposts and landmarks in the state." No phrase is more attributable to Mayor Tom Cunningham of Hyndman, PA. For the last 28 years, Tom Cunningham has served as mayor to the small town of Hyndman, PA. For 24 of those years, I had the distinct pleasure of representing Hyndman and working hand-in-hand with Tom on helping to improve the lives of our constituents.

Now the time has come in Tom's life, after a stellar career in service to his country and his neighbors, that he has decided to retire. His resume speaks for itself; a Korean war veteran, a borough councilman, member of the Hyndman Rescue Squad, volunteer to the Boy Scouts of America, Post Commander of the VFW, board member to the Bedford County Development Association, Hyndman-Londonderry Industrial Development Corp., the Redevelopment Authority of the County of Bedford, and the Bedford County Planning Commission. The recipient of many awards and honors, Tom's success as mayor leaves a powerful legacy to everyone who knows him.

My most memorable experience working with Mayor Tom, and probably Tom's too, has been the reoccurring flooding problem in Hyndman. Wills Creek, which runs directly through Hyndman, is notorious for its flood problems. The cause of thousands of dollars of damage to the small borough, Wills Creek was Mayor Tom Cunningham's biggest challenge. A challenge which could not be conquered without the strong leadership and perseverance exemplified by Mayor Tom. Tom worked hard to rally the support of the citizens of Hyndman to demand action from Federal and State governments. It was truly a privilege to assist Tom in his battle against bureaucratic redtape which in the end almost prevented a solution to Wills Creek flooding. However, Tom's perseverance prevailed and the borough he so aptly represents, will soon have a permanent flood protection project. While all of Hyndman's problems may not be completely solved, Mayor Tom Cunningham's life work has helped make Hyndman what it is today, a wonderful place to live. In the words of Walter Lippmann, a noted journalist, "The final test of a leader is that he leaves behind him in other men the conviction and the will to carry on." I know for a fact that Tom has accomplished this task. I am one of the "other men" who will work hard to continue Tom's fight.

Even though he is retiring, I know we have not heard the last from Tom Cunningham. As his history has proven, I am sure Tom will remain active in the community of Hyndman. Mr. Speaker, I am sure you will join me in celebration of Mayor Tom Cunningham's magnificent career. He is truly a great man, a great leader, a great American, and I wish him well in his private life.

HONORING THE NORTH MIAMI  
FOUNDATION FOR SENIOR CITI-  
ZENS' SERVICES, INC.

**HON. CARRIE P. MEEK**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mrs. MEEK of Florida. Mr. Speaker, the North Miami Foundation for Senior Citizens' Services, Inc., will celebrate 22 years of community service on May 14, 1997, at their 19th annual Volunteer Recognition Luncheon. Held in conjunction with Older Americans Month, the foundation will thank those volunteers who offer services to the elderly in the North Dade community.

In 1996, volunteers with the foundation gave freely of 25,835 chore service hours, 34,533 hours of friendly companionship visits, and 59,773 telephone reassurance calls. In addition, 9,700 hours of special projects were conducted by local organizations and schools. To underscore the importance that such volunteer efforts play with the foundation, these hours total the equivalent of 47 full-time staff positions.

The foundation inspires the devotion of hundreds of people on a yearly basis. Certainly, all who work there find their efforts a labor of love. Without these caring and dedicated individuals the services provided by the foundation would not be possible. My thanks to each of you and congratulations for a job well done.

H.R. 1045

**HON. PATSY T. MINK**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mrs. MINK of Hawaii. Mr. Speaker, I have introduced H.R. 1045 to require that any unpaid work required of welfare recipients as a condition of receiving benefits be credited with wages for the purposes of calculating the Earned Income Tax Credit [EITC] and the Dependent Care Tax Credit.

Under H.R. 1045, the hours worked without direct compensation will be credited as though minimum wage were paid.

It is extremely unfair to require work and then not pay any wages and credit nothing to-

ward Social Security, unemployment compensation, and other wage-based benefits programs. And this is exactly what is allowed under the new welfare reform law. States will be able to enact workfare programs in which welfare recipients are forced to work off their welfare benefit, rather than receiving real wages.

Under H.R. 1045, unpaid work required to remain eligible for cash assistance will be translated into real wages for the purpose of claiming earned income tax credits.

If work is a virtue, then all work should be treated the same.

I urge my colleagues to support my bill, H.R. 1045.

PERSONAL EXPLANATION

**HON. JOHN COOKSEY**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. COOKSEY. Mr. Speaker, on rollcall No. 30, I was necessarily absent. Had I been present, I would have voted "aye."

THE UNITED STATES SHOULD NOT  
PARTICIPATE IN ARAFAT CON-  
FERENCE

**HON. BILL McCOLLUM**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. McCOLLUM. Mr. Speaker, I am deeply concerned that the State Department has agreed to participate in an international conference convened by the Palestinian leader Yasser Arafat. This is part of a strategy of confrontation with Israel and would be a serious mistake. It is my hope the State Department reconsiders this decision.

It appears that the Palestinian Government is attempting to drive a wedge between the United States and Israel. Distancing the United States from Israel encourages the tendency for Palestinians to negotiate with the United States instead of negotiating directly with Israel. Disregarding the existing negotiation process is counterproductive to the peace process.

Without question, the administration's record of support for the United States-Israel relationship has been commendable. Participation in this conference, however, would only tarnish that record. The United States simply does not belong in any type or organization—formal or informal—that is established to isolate and pressure Israel.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

TRIBUTE TO FRANK VALENTINO,  
POET OF THE JERSEY SHORE

**HON. FRANK PALLONE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. PALLONE. Mr. Speaker, I am very proud to represent a section of the Jersey Shore which has great historic significance as a summer home of seven Presidents and an inspiration for, and birthplace of, many great writers, poets, artists, and musical talents.

One contemporary local poet is Frank Valentino and his fine poetry about the Jersey Shore has inspired me to tell my colleagues a little about him and about my seashore district.

For many years, my hometown of Long Branch was the choice of Presidents and Vice Presidents as a retreat for relaxation and contemplation, and occasionally, I must admit, for a little gambling.

Starting in 1869 with Ulysses S. Grant and for the next 40 years it was the summer capital for Presidents. Rutherford B. Hayes, Benjamin Harrison, and William McKinley were frequent visitors. After being critically wounded, President James Garfield demanded to be taken to Long Branch, where he died in 1881. In spite of his short term in office, Chester Arthur found the time for visits to Long Branch. And Woodrow Wilson made a West Long Branch estate, which is now Monmouth University, a gathering place for leaders and intellectuals of his time.

Nearby Asbury Park, which is this week celebrating its 100th birthday, has its own illustrious history. This seashore town boasts author Stephen Crane as a son and has the more recent distinction as the source of inspiration for musician Bruce Springsteen. Many other entertainment greats frequented Asbury Park in the old days, including Frank Sinatra and Count Basie who performed for the thousands of summer visitors who flocked there.

While the Jersey Shore has changed over the years, it is still inspiring talents who are, in turn, rekindling pride and a great sense of history in the area.

Poet Frank Valentino grew up in Long Branch and still lives in Monmouth County. He is the author of three books of poetry and is the founder of Food for Thought Benefit Poetry Reading, an annual event which results in huge donations of food to local food banks. He also conducts many voluntary readings and poetry workshops in schools, clubs, and libraries to impart a love of poetry and local lore to our young people.

It is to applaud his good work, and to share a little of luster of the Jersey Shore, that I include two of his poems for my colleagues and others to appreciate:

**THE SANDS OF LONG BRANCH**

Time drifts like a sea gull in the breeze  
Years fall like waves upon the beach,  
The old stone statue of one of the seven  
Looks out to the east.  
Walking along the coast at dawn I gaze  
Out upon the horizon,  
Feet in the sand of Long Branch and the  
voices  
Of Seven Presidents echoes in the warm  
Summer wind.  
Seven Presidents have walked along the sand  
of this

Old city by the sea,  
They stood along the shore and gazed at the  
incoming tides  
And sifted sand from the beach through their  
hands.  
Long Branch at dawn and the sun rises be-  
hind the clouds  
Thoughts of then and now hang in the pink  
blue mist,  
Sand castles are swept away and the old  
stone statue of  
One of the seven looks out to the east.

**ASBURY PARK 1971**

Neon lights flash like lightning  
The smell of the ocean hangs heavy,  
The sand coated streets shine in the mist  
Of a hot Jersey Shore summer night.  
The dancers sweat in the dark as they carve  
Their dreams on the wood of the boardwalk  
Tonight,  
The guitar player's name is Springsteen  
And the music and words sound like thunder.  
Another cold beer and the poets mark their  
Lines in the sand as the Gypsy lady pulls  
The curtain closed.

**HEART DISEASE**

**HON. MARCY KAPTUR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Ms. KAPTUR. Mr. Speaker, several months ago I was pleased to cosponsor a congressional briefing addressing the important health issue of heart disease. Those who attended this event had the privilege to listen to four distinguished specialists in the area of heart disease discuss the important benefits of psychological intervention in the care of patients with heart disease.

The speakers were: Dorothy W. Cantor, Psy.D., president, the American Psychological Association; Ernest H. Johnson, Ph.D., director, behavioral medicine research, Morehouse School of Medicine; Wayne M. Sotile, Ph.D., director, psychological services, cardiac rehabilitation program, Wake Forest University; and Redford B. Williams, M.D., director, Behavioral Medicine Research Center, Duke University.

Each day in America, 4,000 people suffer a heart attack—one in five before age 60. Five million Americans have coronary heart disease [CHD], and approximately 400,000 of these individuals each year suffer heart failure. Some 70 percent of the victims of an initial heart attack and 50 percent of individuals who suffer a recurrent heart attack survive. As medical treatment for heart patients improves, a growing number of heart attack survivors are younger than age 65. Nearly 2.5 million Americans have some degree of vocational disability or limitation caused by heart illness. CHD is the leading problem for which patients receive premature disability benefits.

Between 50 and 60 percent of all cardiac patients who enter the hospital experience elevated levels of depression, anxiety, and fear. Depression is one of the factors which predicts mortality from heart illness and recurrence of a heart attack. Over 50 percent of spouses and children of cardiac patients experience elevated stress, anxiety, and somatic preoccupation for up to 10 years following a

loved one's heart illness. Family tensions and social isolation have been shown to be significant risk factors for recovering heart patients.

Research shows that psychological intervention leads to shorter hospital stays, reduced rehospitalization, and reduced rates of recurring heart attacks and death. In fact, as little as 30 minutes of psychological counseling per day for 5-6 days has been shown to lead to discharge from the hospital 2.5 days sooner and from the intensive care unit 1 day sooner, as well as lessening morbidity.

The Clinical Practice Guideline for Cardiac Rehabilitation recently published by the U.S. Department of Health and Human Services emphasized that education alone is not effective in helping heart patients cope. Effective intervention combines education, counseling—providing advice, support and consultation—and behavioral interventions—systematic instruction in techniques to modify health related behavior.

Unfortunately only 12 percent of formal cardiac care programs utilize consultation from a psychologist.

Summary information on the briefing follows:

**INFORMATION SHEET**

Each day in America, 4,000 people suffer a heart attack—one in five before age 60. Five million Americans have coronary heart disease (CHD). Of these, approximately 400,000 suffer heart failure each year in the United States. Seventy percent of victims of an initial heart attack and 50 percent of individuals who suffer a recurrent heart attack survive. As medical treatment for heart patients improves, a growing number of heart attack survivors are younger than age 65. But nearly 2.5 million Americans have some degree of vocational disability or limitation caused by heart illness and in the United States, CHD is the leading problem for which patients receive premature disability benefits.

**WHY IS PSYCHOLOGICAL CARE IMPORTANT FOR HEART PATIENTS?**

Immediately following heart surgery there is a window of opportunity in which to educate recovering heart patients about adaptive coping skills. The information patients are given in this time period shapes their thinking about life after heart surgery for up to five years. For instance, if patients believe they cannot have sexual relations, or cannot exercise, and are not told differently, they may hamper their recovery.

Incorporating psychological intervention into the care of recovering heart patients is important because:

Between 50 and 60 percent of all cardiac patients who enter the hospital experience elevated levels of depression, anxiety or fear.

Over 50 percent of spouses and children of cardiac patients elevate on measures of stress, anxiety and somatic preoccupation for up to ten years following a loved one's heart illness.

A significant percentage of recovering cardiopulmonary patients and their families experience frustration about feeling ill-prepared for the long-range course of rehabilitation.

Family tensions and social isolation have been shown to be significant risk factors for recovering heart patients.

Depression, social isolation and hostility predict mortality from heart illness and recurrence of a heart attack.

**PSYCHOLOGICAL INTERVENTIONS MAKE A PROVEN DIFFERENCE**

Research shows that:



As little as 30 minutes of psychological counseling per day for 5-6 days has been shown to lead to discharge from the hospital 2.5 days sooner and from the Intensive Care Unit one day sooner, as well as lessening morbidity.

Group therapy with recovering heart attack patients has consistently been found to improve measures of psychological well-being and lessen indicators of morbidity throughout the first three years of recovery.

Two hours of psychological counseling per week for seven weeks has been shown to reduce incidence of re-hospitalization for recovering heart attack patients by 60 percent.

Treatment of depression has been shown to reduce rates of re-occurring heart attacks and death over three years of follow-up.

A single supportive interview delivered on the evening before surgery has shown to lessen post-operative psychosis.

Brief psychological counseling prior to medical or surgical intervention has been found to produce shorter stays in the Critical Care Unit, less emotional distress, fewer arrhythmias and shorter hospital stays when compared to routine CCU care.

Three sessions of psychological counseling in two days prior to catheterization can significantly improve patient management of the stress of the procedure.

Relaxation training diminishes post-surgical incidence of delirium, medical complications and lengths of hospital stay.

#### EDUCATION IS NOT ENOUGH!

The Clinical Practice Guideline for Cardiac Rehabilitation recently published by the U.S. Department of Health and Human Services emphasizes that education alone is not effective in helping heart patients cope. Effective intervention combines education, counseling (providing advice, support and consultation), and behavioral interventions (systematic instruction in techniques to modify health related behaviors). Such combination treatments have been shown to: Reduce symptoms of angina in recovering CHD populations; promote stress management and overall psychological well-being in recovering cardiac populations; increase the rate of smoking cessation in recovering cardiac patients by approximately 18 percent compared to rates of spontaneous smoking cessation; significantly enhance modification of diet to lower lipids and lower body weight; lower blood pressure, when added to a comprehensive rehabilitation program.

Research has shown that education, counseling and behavioral intervention designed to encourage heart patients to adhere to therapies have been associated with: Reduction in recurrent coronary event rates; regression of atherosclerosis; reduction in cardiac and overall mortality rates.

#### WHAT DO PSYCHOLOGISTS DO TO HELP HEART PATIENTS?

- Enhance self-management skills and self-efficacy.
- Reduce psychophysiological arousal with relaxation training and biofeedback.
- Alter specific behavior patterns through stress management.
- Enhance social support.
- Identify patients who are at high risk.
- Diminish resistance to healthy lifestyles.
- Develop effective conflict resolution strategies.

#### WHAT IS CURRENTLY BEING DONE TO HELP HEART PATIENTS COPE?

Unfortunately only 12 percent of formal cardiac care programs utilize consultation from a psychologist.

### TRIBUTE TO DR. TEE S. GREER, JR.—EDUCATOR AND COMMUNITY HERO

#### HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1997

Mrs. MEEK of Florida. Mr. Speaker, it is a distinct honor and privilege to pay tribute to one of Miami's truly great heroes, Dr. Tee S. Greer, Jr. His untimely demise from cancer last Thursday, March 13, 1997, leaves a deep void in our community.

Dr. Greer, 60, represented the best and the noblest of our community. Coming from a deeply rooted and respected family of educators, his forbears helped build the railroad that came to Miami in the late 1890's. He was married to schoolteacher Billie Greer, the great-niece of William Brewster who succeeded the renowned Carter G. Woodson, editor of the Journal of Negro History. Graduating from Miami-Overtown's historic Booker T. Washington High School in 1954, he served as its irrepressible student-body president. His classmates looked up to him as a natural-born leader, a gentleman, and a motivator par excellence.

A prominent member of Dade County's United Way, he also belonged to Omega Psi Phi and Sigma Pi Phi, the oldest black fraternity in the Nation. He also exercised a steady hand over Miami's King of Clubs, the Nation's premiere black civic organization, by helping the youth achieve through academic excellence and scholarships. This role has indeed turned him into a role model for generations of our Dade County youth.

A meticulous father and a firm believer in the centrality of God in his family, he mandated strict attendance at Sunday dinners for his four children, now adults—Anita Greer-Dixon, Tee Greer III, Florence, and Frederick Greer. He was wont to tell his boyhood story of how he constructed a go-cart for the annual Boy Scout race, out of the bike he used on his daily paper route. He won the race against the more expensive store-bought go-carts. The day after the race he dismantled his "chariot" and merrily went on his paper route.

His daughter Florence, who earned two master's degrees, remembered that "... our dad taught us that we may have limited resources, but we should use what God gave us to get the job done." He was a math major from Atlanta's Morehouse College and entertained dreams of becoming a mechanical engineer. He turned to teaching, however, when he found out that upon graduation from college the only job he could find in the South in the 1950's was that of a truck driver.

All in Dade County can vividly recall that in the early 1980's, he spearheaded a team from the Dade County public schools to go to Washington, DC to secure funding to help the county government deal with the influx of thousands of refugees who came to Miami from Cuba's port of Mariel.

Dr. Greer, Junior, fully lived up to his stewardship as a genuine educator. His standards for learning and achievement, both low-key and laid-back but at the same time stern and consistent, won him the accolades of the aca-

demic community, particularly the National Alliance of Black School Educators. The Alliance saw fit to create a scholarship in his name for local high-achieving students who plan to be math and science majors.

His countless successes in educating many a wayward inner city youth have become legendary. He gained the confidence of countless parents who saw in him as the no-nonsense educator, entrusting him with the future of their children and confident that they too would learn from him the tenets of scholarship and the pursuit of academic excellence under a rigorous discipline. His approach to educating the inner city youth emphasized utmost personal responsibility. In times of crises crowding the school system's agenda, his forthright guidance and counsel was one that verged on his faith in God and faith in one's ability to survive the vicissitudes of life.

Our community was deeply touched and comforted by his undaunted leadership, kindly compassion, and personal warmth. As a deacon at historic Mt. Zion Baptist Church in Miami's Overtown community, he preached and lived by the adage that, with God's help, the quest for personal integrity, academic excellence, and professional achievement is not beyond the reach of those who are willing to dare the impossible.

Having earned a doctorate in education, he ascended up the ranks and was appointed a two-time interim superintendent. He was passed over a couple of times in being named permanently to the helm of the Dade County public schools, the Nation's fourth largest school system. Still in all, Dr. Greer maintained his equanimity and dignity throughout this ordeal, rededicating himself to the educational well-being of the thousands of young boys and girls in the school system. In so doing he rightfully earned the deepest respect and admiration of his colleagues and the leadership of Dade County.

This is the great legacy Dr. Tee S. Greer, Jr., has bequeathed to our community. I am greatly privileged to have earned his friendship and to have been given the opportunity to live by his noble credo.

#### H.R. 1025, CAMPAIGN FINANCE REFORM

#### HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1997

Mrs. MINK of Hawaii. Mr. Speaker, I have introduced H.R. 1025 which places the same limits on the contributions made to the Democratic National Committee and the Republican National Committee as is currently in effect for contributions made to all candidates for Federal office.

The out-of-control taking and soliciting of contributions by the political parties is an abuse that can be easily corrected.

The public confidence in Congress is shattered because we have allowed the mockery of political auction to buy into our favor.

We absolutely cannot sit this one out. There are no excuses left. Congress will be spending upwards of \$10 million to investigate past actions and to quibble that it wasn't illegal.

The point is we all know what the problem is \* \* \* unlimited giving—\$100,000, \$200,000, \$600,000 or \$1 million, going, going, gone to the highest bidder.

That is not what politics should be like. Philanthropy is one thing, but buying access is quite another. It must stop.

Until we put in place limits as we have learned to live by in our own campaigns, we can expect the situation to get worse.

Now is the time to say, enough is enough. Let's everybody live by the same rules.

In other countries we would call it bribes. What's the difference—we call it soft money.

#### PERSONAL EXPLANATION

##### HON. JOHN COOKSEY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. COOKSEY. Mr. Speaker, on rollcall No. 29, I was necessarily absent. Had I been present, I would have voted "aye."

#### TRIBUTE TO THE SOUTH JERSEY ELEMENTARY FESTIVAL CHORAL CONCERT

##### HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. ANDREWS. Mr. Speaker, I rise today in order to commend and acknowledge the children who participated in the 14th Annual South Jersey Elementary Festival Choral Concert. The chorus which performed on March 15 was comprised of fourth, fifth, and sixth graders from South Jersey elementary schools. The children are from Burlington, Cape May, Cumberland, Atlantic, Camden, Gloucester, and Ocean counties. After being selected through an audition, they rehearse for a full day, then perform for parents and the community in a different venue each year. The sopranos this year were: Carissa Ambrose, Melisa Appenzeller, Niamah Ashong, Lauren Badessa, Erika Bair, Taylor Bandy, Robyn Barbera, Jillian Bauman, James Bishop, Ciarra Black, Jenna Buechler, Darla Bunting, Yesenia Camero, Joshua Carleer, Monica Carney, Charisle Chrisopher, Casey Cipriani, Allison Coremin, Claire Cossaboon, Adam Crane, Jenna Crimaldi, Cherelle Crook, Jessica Curtin, Krystal Deegan, Mykalann Depack, Danielle DiAmore, Suzanne DiBenedetto, Katherine Dippalico, Kyanna Ellerbe, Vanessa Flaherty, Brittany Floyd, Casia Frake, Leayne Freeman, Kiara Froding, Monique Gale, Christy Gallagher, Liz Getman, Maria Gullo, Kelly Gunning, Rebecca Hill, Aaron Homan, Julie Horner, Michael Mowell, Rion Hunter, Paige Hyman, Jessica Jardel, Alicia Jenkins, Becky Johnson, Ashley Jones, Justine Kanla, William Kraemer, Jennifer Krystek, Jared Lacovara, Jillian Lewis, Sabria Lindsey, Kirsten Louis, Allison Lakacsy, Jessica Mills, Cassie Milone, Andrew Morris, Monica Morris, Lisamarie Musumeci, Autumn Neube, Michael Nurthen, Laura Palimeno, Rebecca Polito,

Zebbia Price, Kristen Prost, Jamila Ramsey, Lidia Ramos, Nikita Riggler, Jessica Rishel, Lachelle Robinson, Heather Roeske, Allison Rossl, Halley Sackedis, Laura Sayer, Jonathan Sharpless, Diana Shreiner, Stephanie Simpkins, Caitlin Smith, Tiffany Spingler, Matthew Spittal, Jamela Staten, Jenna Stump, Lakeisha Sydnor, Quiana Thompson, Kathleen Tibbels, Janet Torres, Christina Turner, Molly Watson, Kimberly Weidman, Elizabeth Wintersteen, Ashley Wuzzardo, and Gillian Young. The altos who performed were: Erin Alden, Julie Annise, Katelyn Archer, Rachel Barlow, Melissa Barna, Sarah Bearry, Rebecca Black, Amanda Botto, Amber Boyer, Derek Burgin, Courtney Calloway, Gene Carey, Jennifer Carroll, Kelly Clark, George Colli, Chelsea Conner, Jeffrey Corgan, Letasha DeJesus, Kevin Diduch, Elizabeth Donahue, Sara Donovan, Amy Dunn, Richard Evans, Meagan Fagotti, Ashley Falconi, Michele Fitzgerald, Ferin Ford, Jennifer Frattom, Loian Giovanetti, Tiffany Gligor, Amber Gonzalea, Gina Gomeski, Natacla Graves, David Gwinn, R.J. Heil, Marissa Hines, Joshua Hoagland, Patrick James, Cynthia Jenkins, Joy Keeton, Terrence Kelley, Jonnae Knospe, Sara Konkol, Kristen Lakjer, Brian Lapann, Alan Laroco, Robert Larrabee, Gabrielle Lawson, Phillip Love, Brittany Lynch, Jennifer MacMillan, Joshua Main, Lilian Matos, Douglas McGeorge, Nicholas Michaluk, Sara Morris, Sean Moyer, Cassie Muhlbaier, Katelyn Mullen, Matthew Murphy, Denise Myles, Shawn Newberry, Andrew Nugent, Jennifer Parks, Peter Permitt, Roxanne Povernick, Tyler Reed, Kristin Reynolds, Amanda Richman, Nicole Ritchie, Michael Russell, Rachel Samuels, Sara Schreiner, Steven Sharpe, Tatiana Shockley, Heather Sipps, Christine Spicer, Courtney Stetson, Rachel Teyssier, Cheryl Tirtak, Jeff Totten, Julie Truxton, Adrienne Valentino, Corey Victor, Megan Waldow, Katherine Walsh, Hayley Wells, Ashley Withers, Brianna Wyatt, and Audrey Zikell.

#### THE ILLEGAL IMMIGRATION RE- FORM AND IMMIGRANT RESPON- SIBILITY ACT OF 1996

##### HON. BILL MCCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. MCCOLLUM. Mr. Speaker, today I am introducing legislation with my colleague Mr. BERMAN of California to make a technical correction to the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 [IIRIRA]. Allow me to explain the history behind this legislation.

Section 102 of Public Law 103—416, the Immigration and Nationality Technical Corrections Act [INTCA] granted Americans abroad the possibility of being able to expeditiously naturalize their children abroad who had not acquired U.S. citizenship at birth. This section allowed certificates of citizenship to be granted to a child of a U.S. citizen, either born or adopted abroad, provided that the child is under 18 and that either an American parent or the U.S. parent's parent—i.e., the American

grandparent—has spent 5 years in the United States. Two of those 5 years must be after age 14. The child and his or her American parent apply from their residences abroad and come to the United States for the INS interview and final swearing in at which time the certificate of citizenship is awarded.

However, a change to this was made in IIRIRA. The change places a special restriction on children born before November 14, 1986. For these children to be eligible for certificates of citizenship, the American parent or grandparent is required to have been physically present in the United States for a total of 10 years, five of which were after age 14.

Mr. Speaker, this change is contrary to what was established in 1994. I have made inquiries as to why this change was made and I have found nobody actually making an argument on its behalf. The confusion created by this change has made an administrative nightmare for many applicants. The INS has not had an easy time with implementing the original language and this change cannot help things.

It is my hope that we will be able to give favorable consideration to this correction to IIRIRA. It is critical if we are to remain consistent in our treatment of Americans born or adopted abroad. I urge my colleagues to support it.

#### TRIBUTE TO COL. RICHARD DIXON

##### HON. EVA M. CLAYTON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mrs. CLAYTON. Mrs. Speaker, I rise today to bring to your attention the outstanding public service on one of the country's top military men, Col. Richard D.S. Dixon III, the Chief Judge of the U.S. Air Force Court of Military Appeals. On April 1, 1997, Colonel Dixon will be retiring after 30 years of especially distinguished service.

Colonel Dixon, who is a native of Waltonsburg, NC, received his undergraduate degree from Duke University and his law degree from the University of North Carolina. He enlisted in the U.S. Air Force in May 1966. After completing a year of enlisted service, he was designated a judge advocate in April 1967, and commissioned as a first lieutenant. After tours of duty at Niagara Falls International Airport in New York and Torrejon Air Base in Spain, he was selected to attend the University of Michigan as a graduate student, where he was awarded a master of laws in international law in 1974. The Air Force took advantage of his expertise by assigning him to the international law division in Washington, during which he was selected to attend the public international law course at the Hague Academy of International Law in the Netherlands.

His subsequent tours of duty were as staff judge advocate at Charleston AFB, SC; as a member of the legal staff for the Commander-in-Chief, Pacific Command, at Camp Smith, Hawaii; and as staff judge advocate at Langley AFB, VA.

In 1985, recognizing Colonel Dixon's diverse areas of expertise, the Air Force assigned him



once again to Washington, DC, where he served in four divisions. As Chief, Military Justice Division, he was a member of the Department of Defense Joint Services Committee on Military Justice, during which he proposed and drafted legislative changes to the Uniform Code of Military Justice and the Manual for Courts-Martial. He also served as the liaison between the Judge Advocate General and the Criminal Justice Section of the American Bar Association. Next, he was again assigned to the international law division—this time as the Chief—from 1987 until 1989. Colonel Dixon next served as Chief of Defense Services Division, managing the approximately 150 Air Force defense attorneys worldwide, and a dozen appellate defense counsel. Because of his vast experience in military justice and his impeccable judicial temperament, he was selected in 1991 to serve as the Chief Judge of the nine-member Air Force Court of Criminal Appeals. He was sworn in as Chief Judge on March 2, 1992.

Colonel Dixon's military decorations include the Defense Meritorious Service Medal and the Air Force Meritorious Service Medal with three oak leaf clusters.

Mr. Speaker, I ask that you join me, our colleagues, and Colonel Dixon's many friends, in saluting this distinguished officer's many years of selfless service to the United States of America. I know our Nation, his wife Fran, his son Richard and daughter Karen, are extremely proud of his accomplishments. It is fitting that we pay tribute to him today.

#### A TRIBUTE TO EDGAR HAGOPIAN

### HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1997

Mr. KNOLLENBERG. Mr. Speaker, I rise today to honor a loyal and dedication citizen in my district, Edgar Hagopian. Edgar will be honored this week by the Oak Park Business and Education Alliance [OPBEA].

Hagopian is being recognized for his many contributions to the Oak Park community, especially the students of Oak Park's schools.

President of Hagopian and Sons, Inc., Edgar has been very active in the Oak Park schools and its programs. He has been a strong supporter of the district's student of the month and the middle school job shadowing programs.

A member of the Oak Park Chamber of Commerce, Hagopian has been a supporter and leading member of OPBEA since its inception in 1993.

Known for his presence in Michigan, Hagopian is also known internationally for his leadership in the worldwide Armenian community. He founded the Armenian Business Council and has served as its president. In recognition of his many generous contributions to Armenian causes, he was named the 1995 Person of the Year by Canada's Armenian Business Council.

All funds raised from the event honoring Edgar will be used by OPBEA for the Edgar Hagopian Scholarship Fund, which will provide scholarships to Oak Park graduates that have

excelled in the group's Contract for Success program.

#### HONORING NANCY MANNERS FOR 13 YEARS OF DISTINGUISHED SERVICE TO THE RESIDENTS OF WEST COVINA

### HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1997

Mr. TORRES. Mr. Speaker, I rise today to recognize a good friend, Hon. Nancy Manners, councilmember of the city of West Covina, CA. Nancy is retiring from the West Covina City Council after 13 years of distinguished service and will be honored at a special ceremony on Wednesday, March 19, 1997.

Nancy began her public service in 1973, when she was elected to the Covina-Valley Unified School Board. During her tenure she served as president of the San Gabriel Valley Regional Occupational Program Board. In 1984, she was elected to the West Covina City Council. Nancy was the first woman to serve on the city council and, in 1988, she became the city's first woman mayor.

While maintaining an active role on the city council, Nancy also has been a member of numerous organizations, often taking leadership roles advocating on behalf of local governments. She has been president of the Independent Cities Association, ICA Risk Management Authority, San Gabriel Valley Planning Commission, Mid-Valley Mental Health Council, and chairperson of the Los Angeles County Solid Waste Committee. Also, Nancy has served on policy and steering committees of the National League of Cities and the California League of Cities, and other groups working on issues of local government.

She has been a resident and servant of the city of West Covina for 38 years. In addition to the many hours that she has committed to serving local residents, she has dedicated herself to numerous community and civic organizations. Currently, Nancy is serving her second term as president of the queen of the Valley Hospital's 2100 club, the board of the West Covina Rotary, and vice president of the West Covina Historical Society. She also has served as the president of the San Gabriel Valley League of Women Voters, Covina Coordinating Council, Altrusa, regional chairperson of the San Gabriel Valley Lung Association, and in 1980, she was selected to serve on the Los Angeles County Grand Jury.

Prior to serving as an elected official, Nancy was employed by the city of Covina for 16 years. In 1963, she became the first woman in southern California, and one of only a few nationwide, to achieve the post of assistant to the city manager. Because of her outstanding dedication to the community, Nancy was named 1976 Covina Citizen of the Year and 1983 West Covina Citizen of the Year.

During her children's youth, Nancy was active in their Scouting activities. She served as den mother to her son's Cub Scout, Webelos, and Boy Scout troops, and was troop leader of her daughter's Brownie and Girl Scout Troops. She taught second grade Sunday School and

was a room mother and an active member of her children's Parent-Teachers Association.

Nancy received her bachelor of arts degree from the University of La Verne in 1977, and completed certificate courses in public administration from the University of Southern California in 1972. She was married to the late George Manners and has three children, Joan, Nancy, and Gene. She is also blessed with five grandchildren and three great-grandchildren.

Mr. Speaker, I ask my colleagues here assembled to recognize my friend, Nancy Manners, a trail blazer and role model for all to emulate, on the occasion of her retirement from the West Covina City Council.

#### COMMEMORATION OF SANTA BARBARA COUNTY CHILDHOOD CANCER AWARENESS WEEK

### HON. WALTER H. CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1997

Mr. CAPPS. Mr. Speaker, I rise today to commemorate the designation of March 17 through 23 as "Childhood Cancer Awareness Week" by the Santa Barbara County Board of Supervisors. I would also ask that you join me in honoring the American Cancer Fund for Children for its tireless efforts to ease the suffering of children afflicted with this disease.

Each year more than 10,000 cases of childhood cancer are diagnosed, and it is the leading cause of death by disease among children in our country. Far too often the medical costs necessary for caring for these children leave families devastated financially, as well as emotionally. The American Cancer Fund for Children works in partnership with hospitals and local governments to ease the burdens of this horrible disease. Through the partnerships it forges with local communities, the organization provides an outstanding example of how governments and nonprofit organizations can work together to help the people who need help the most.

The efforts of the American Cancer Fund for Children have lifted the spirits of children nationwide. Mr. Speaker, I ask that you join me and our colleagues in recognizing the accomplishments of this fine organization, and the county of Santa Barbara, in raising childhood cancer awareness with the establishment of a Childhood Cancer Awareness Week.

#### SALUTE TO CHURCH WOMEN UNITED

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1997

Mr. TOWNS. Mr. Speaker, there is no nobler calling than service to the Lord. In Brooklyn I am fortunate to have an organization, Church Women United, which has dedicated itself to spiritual and community service.

Church Women United is part of a national organization of Christian women who come together to create a viable community and serve

as witnesses to their abiding faith. This year marks the 14th celebration of holding their annual Good Friday service, which includes "The Seven Last Words of Christ." The last words are delivered by seven messengers, all female. This is a unique event in which the Borough of Brooklyn takes great pride.

The group is led by Ophelia Perry who provides spiritual guidance. Church Women United provides a host of good deeds which include hospital visitation, prison ministry, summer camp scholarship, working in a women's shelter, and providing services to HIV parents. Ms. Perry is the 19th president of this organization which has over 600 members. I am proud to highlight the immense contributions of this wonderful organization.

**RALPH SANTIAGO ABASCAL: A  
LAWYER'S LAWYER'S LAWYER**

### **HON. GEORGE MILLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. MILLER of California. Mr. Speaker, I rise to report sadly to the House of the passing yesterday of Ralph Santiago Abascal, one of the giants of the American legal profession, and a man I have been honored to call a close personal friend for three decades.

Both in California and throughout the Nation, among those who advocate for the poor and within the Hispanic community, among environmentalists and farm workers, welfare recipients and the malnourished, Ralph Abascal will be remembered as a man of consummate legal skill, boundless optimism and formidable intellect.

In a lifetime of advocacy for the financially destitute, the politically marginal, and the socially outcast, Ralph nevertheless displayed an expert's knowledge of the intricacies of the political world. I knew him first in Sacramento, when I was a staff person in the California State Senate and he was an activist attorney fighting for farm workers, the disabled and children. Our close relationship continued when I came to Congress in 1975 and we fought many of the same battles at the Federal level.

Ralph was a valued and creative advisor. Our efforts to enforce reclamation law and end unjustified water subsidies in California's Central Valley laid the groundwork for massive reforms like the Central Valley Project Improvement Act and the Bay-Delta process that, at long last, are rearranging California's water priorities and restore our State's decimated environment.

Ralph was the early leader in the fight against unsafe pesticides that endangered consumers and farm workers, too. His pioneering legal work paved the way for the prohibition of DDT and the protection of groundwater from chemical contamination. His work on behalf of children guaranteed nutrition assistance, educational opportunities and equal access without regard to disability or ethnicity.

For some, I suspect, Ralph Abascal's career was about chasing rainbows. But Ralph caught a fair number of those rainbows, and ours is a far safer, far more just, and far cleaner world because of his tireless efforts.

He stands as a giant in terms of his fight for the poor and the disenfranchised people of America. It is perhaps his greatest legacy that millions of those whose lives will be forever improved by his life's labors never even heard his name, never knew that he spent decades arguing on their behalf in the courtrooms, in the legislative chambers and in the streets.

Mr. Speaker, I ask that all Members of the House of Representatives join me in mourning the loss of one of America's great advocates and attorneys, and extend to his widow, Beatrice Moulton, and their daughter Pilar.

### **RECOGNITION OF R.E. THOMASON GENERAL HOSPITAL**

### **HON. SILVESTRE REYES**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. REYES. Mr. Speaker, I am pleased to commend R.E. Thomason General Hospital, El Paso's only not-for-profit hospital, for being recognized for the second year in a row as one of America's top performing hospitals, according to the 1996 "100 Top Hospitals—Benchmarks for Success" study. I would like to congratulate R.E. Thomason General Hospital for their dedication to the community and outstanding performance.

The "100 Top Hospitals—Benchmarks for Success" study is conducted annually by HCIA, the industry's most comprehensive source of health care information, and the Health Care Provider Consulting practice [HCPC] of William M. Mercer, a leading international management consulting firm. HCIA and Mercer HCPC annually develop a model for high performance among general acute care hospitals in the United States. The model is then used to identify 100 of the top performing hospitals on key measures related to clinical practices, operations, and financial management. Mercer HCPC and HCIA undertake this study each year to establish industry benchmarks in the context of a rapidly and constantly changing health care industry and to recognize those hospitals that demonstrate superior performance.

To qualify, hospitals had to rank above their peers on a combination of eight measures that indicate high value through high-quality outcomes, effective use of resources, and efficient provision of care—a balance R.E. Thomason General Hospital has achieved.

I would like to thank R.E. Thomason for their vision and dedication to the community and commend the staff for their devotion to caring for the people of El Paso.

### **TRIBUTE IN MEMORY OF VIRGIL TRESSENWRITER**

### **HON. NICK J. RAHALL II**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. RAHALL. Mr. Speaker, I rise today to pay tribute to Virgil Tresenwriter. Virgil was a native of Beckley, WV, my hometown. In

1995, at the annual dinner of the Beckley/Raleigh County Black Business Association, Virgil's solo performance with the New Gospel Singaleers captured my spirit, leaving me in a state of awe, almost too speechless to deliver my keynote address. It was a profoundly moving experience. And no wonder.

Virgil was ordained by God from the very beginning of his life to sing praises to the Lord. It was a sweet sound and a joy divine—just as the gospel hymn says—to hear the deep baritone voice of Virgil "Pee-Wee" Tresenwriter ring out the heavenly melodies. What a blessing it was to be stirred and moved in your spirit from the sounds that came from the very depths of his heart.

If you were burdened down and sinking, to rise no more, you were lifted up when Pee-Wee sang "His Eyes Are On The Sparrow and I know He Watches Me." Then Virgil would remind you that he loves to praise His name, because He is a rock, a sword, and a shield—He's just a jewel in the middle of a wheel. Virgil's life was a blessing in so many ways to those who knew him, an inspiration to children who imitated him as he performed with the New Gospel Singaleers, with colorful attire reminiscent of the more famous singing groups of older times.

With his God-given talents, it was nothing for Virgil to challenge groups such as the Mighty Clouds of Joy, or the Canton Spirituals, when performing on the same program.

It is with the same pride that I take this opportunity to honor a man who gave the very best of himself, using his God-given talents to inspire, encourage, and lift the hearts of those who knew him. Virgil will be missed immensely, now that he has joined the heavenly choir to sing with the angels of God.

His songs, and the spirit in which he sang them, will sing out in our hearts forever.

### **TRIBUTE TO HISPANAS ORGA- NIZED FOR POLITICAL EQUITY (HOPE)**

### **HON. LUCILLE ROYBAL-ALLARD**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Ms. ROYBAL-ALLARD. Mr. Speaker, on Friday, March 14, 1997, Hispanas Organized for Political Equity [HOPE] Education and Leadership Fund's Sixth Annual Symposium is taking place in California's 33d Congressional District during Women's History Month. In honor of this important event on the floor of Congress, I am proclaiming March 14, 1997, as Latina History Day.

The HOPE Education and Leadership Fund is committed to improving the social, political, and economic status of Latinas in their workplace, homes, schools, and community. Historically, HOPE has educated women and the community about domestic violence, the depiction of Latinos in the media, and the need to break the glass ceiling in employment. This year's symposium will address education and the superhighway, violence in our schools, and women's health concerns.

The proclamation of Latina History Day during Women's History Month memorializes the



important role Latinas play in American society. It recognizes the work and sacrifices of prior generations, celebrates the growing accomplishments of contemporary Latinas, and lays the foundation for future generations. Organizations like HOPE are critical cornerstones to the educational and leadership training programs we need to meet the challenges of today and the future.

I commend the HOPE Education and Leadership Fund for their commitment to Latinas and our children and, in their honor, proclaim March 14, 1997, as Latina History Day.

**INTRODUCTION OF THE SAN TIMOTEO CREEK ASSESSMENT ELIMINATION AND ENVIRONMENTAL RESTORATION ACT OF 1997**

**HON. JERRY LEWIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. LEWIS of California. Mr. Speaker, today I am pleased to join my friend and colleague, Congressman GEORGE BROWN in introducing the San Timoteo Creek Assessment Elimination and Environmental Restoration Act of 1997.

This important legislation will allow the San Timoteo Creek flood control project to move forward while eliminating proposed local assessments. This act will also provide the added flexibility for the local sponsor—County of San Bernardino, to make the project more environmentally sensitive.

Let me briefly explain what this straightforward legislation will accomplish. This bill will allow the local sponsor of the San Timoteo Creek Project to repay its 25 percent cost share to the Federal Government over a 30 year period instead of the traditional payment when construction begins. The generic authority to repay the local sponsor cost share over a 30 year period is specified in the Water Resources Development Act [WRDA] of 1986. This legislation applies that statute to the San Timoteo Creek Project.

The San Timoteo Creek feature of the Santa Ana Mainstem project will cost roughly \$60 million. The local cost share is \$15 million. However, a portion of the local cost share has already been provided through the construction of Reach 1 and Reach 2 of the project. Construction on Reach 2 of the project is currently underway. The Corps of Engineers and the local sponsor are currently discussing the idea of modifying Reach 3 in order to keep the project's construction moving forward while the corps, the local sponsor and environmental groups develop an environmentally sensitive and cost effective design modification further upstream.

The threat of flooding along the San Timoteo Creek is very real. The San Timoteo Creek portion is one of the smaller features of the Santa Ana Mainstem project which also includes the Seven Oaks Dam in Mentone. This project is extremely vital in order to provide flood protection for Redlands, Loma Linda, and San Bernardino. Furthermore, protection from a 100 year flood event will also lower the

flood insurance rates of homeowners and small businesses which are currently in the flood plain. The overall Santa Ana River Mainstem project will protect millions of people and property in San Bernardino, Riverside and Orange Counties valued in the billions of dollars when it is completed.

Congressman BROWN and I recently discussed the concept of this legislation with San Bernardino County Supervisor Dennis Hansberger, Loma Linda Mayor Floyd Petersen, and other elected officials, and representatives from local environmental groups, including the local chapter of the Sierra Club.

I am pleased that these discussions have helped to develop this legislation which, if enacted, will go a long way toward addressing the concerns of those individuals, families and businesses which live within the proposed assessment district, locally elected officials, environmental groups, and the American taxpayer.

**DISAPPROVAL OF DETERMINATION OF PRESIDENT REGARDING MEXICO**

SPEECH OF

**HON. EARL POMEROY**

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 13, 1997*

Mr. POMEROY. Mr. Speaker, I rise today in support of the resolution to overturn the President's decision to certify Mexico as a country that is fully cooperating in the fight against drug smuggling.

This resolution was reported out of the International Relations Committee on an overwhelmingly bipartisan vote. The committee resolution would decertify Mexico as a fully cooperative partner in the war on drugs. The resolution would send a clear signal to Mexico that their drug fighting efforts are inadequate, and that they must improve their interdiction, prosecution and anti-corruption activities to be considered a fully cooperating ally in the drug war.

Unfortunately, rather than allowing the House to vote on the bipartisan committee resolution, the majority leadership has crafted a substitute proposal that, if adopted, will preclude consideration of the committee resolution. Regrettably, the leadership amendment, offered by the gentleman from Illinois, Mr. HASTERT, undermines the bipartisan committee product by injecting purely partisan language into the text of the resolution. Rather than focusing on the question of certification, the Hastert amendment seeks to gain partisan advantage by taking rhetorical pot-shots at what it views as the administration's shortcomings in its conduct of the war on drugs.

As a result, the leadership has managed to take an issue where there is widespread bipartisan agreement—that Mexico is not a fully cooperating partner in the war on drugs—and make it partisan. I support the committee resolution, but I will oppose the leadership amendment. I remain hopeful that the Senate will craft a bipartisan measure that I will be able to support when this issue is resolved in conference.

I urge my colleague to oppose the Hastert amendment and support House Resolution 58.

**IN SUPPORT OF H.R. 582: THE MEDICARE HOSPITAL OUTPATIENT REFORM ACT OF 1997**

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. STARK. Mr. Speaker, on February 4, Representative COYNE and myself introduced a bill to provide for an immediate correction of a serious Medicare beneficiary problem: the overcharging of seniors and the disabled by Hospital Outpatient Departments [HOPD].

The President's budget also calls for a correction of this problem, but phases in the correction over a 10-year period.

In Medicare, the program generally pays 80 percent of Part B bills and the patient pays 20 percent. But because of the way the HOPD benefit was drafted, currently beneficiaries are paying about 45 percent and Medicare 55 percent. Simply put, the problem arises because Medicare pays the hospital on the basis of reasonable cost, while the beneficiary is stuck with 20 percent of charges—and charges can be anything the hospital wants to say they are.

Last the American Association of Retired Persons asked its members for examples of problems they had had with HOPD billings. They received an overwhelming response, and over the coming weeks, I would like to enter some of these letters in the RECORD.

These examples are the proof of why we need to fix this problem ASAP.

The first is from Mr. Warren Risser of Santa Barbara, who had an HOPD cataract operation and was charged \$4,102.15. His 20 percent share of that change was \$820.43. But he found out that Medicare determined the reasonable cost was less than half of that and Medicare paid \$1,025.54. Mr. Risser paid 44% of the total payment—a far cry from Medicare's promise of an 80–20 split.

Next is a letter from Mr. Keith Roberts of Garden Valley, CA. As his letter so well explains, he paid 54 percent of a test due to charges that defy all rhyme or reason.

Both letters are a testament to the need to pass H.R. 582.

AARP Outpatient Stories,  
Washington, DC.

DEAR SIR: Your article "Medicare Outpatient Debacle" by Don McLeod was excellent.

On March 7, 1995, I had cataract surgery on my right eye. I was in the hospital approximately 6 hours incurring a hospital bill of \$4,102.15. I was billed 20 percent (\$820.43). The Medicare Statement from Blue Cross shows Medicare paid the balance of \$3,281.72 which was incorrect. They paid only \$1,025.54 after writing off an adjustment of \$2,256.18.

I wrote Blue Cross stating I paid my 20 percent and they paid 25 percent and requested an explanation. Enclosed is their response. They had lowered their portion by 55 percent of the bill.

Gosh, I wish I could run a business this way.

Keep up your good work.

Sincerely,

WARREN H. RISSE  
Santa Barbara, CA.

KEITH L. ROBERTS,  
Garden Valley, CA, November 27, 1996.  
AARP Outpatient Stories Dept.,  
Washington, DC.

DEAR SIR: Some time back I sent you a large packet of documents and correspondence about Part B Outpatient overcharges. I just received another example of Part B outpatient abuse which I am forwarding to you.

In this case, the total hospital charge is \$1199.00. I have requested an itemized account of the charges so that I can know whether they are legitimate or not. The Medicare statement lists two items. They are: PHARMACY . . . 211.90, OTHER . . . 988.00. The hospital statement lists: BALANCE FORWARD . . . 1199.00, A CODE (99100) . . . (203.80-, ANOTHER CODE (97010) . . . 755.37-. The balance due to patient is 239.80 (or 20% of the total 1199.00).

I have obtained a detail listing of the hospital charges I referred to above. I have edited the list of charges by assigning an item number and true patient charge for each item. Both lists are included herewith.

In items 10 and 11 are two drugs, DEMEROL and MIDAZOLAM. If the hospital charges are extended out to a kilogram, the drug dealers preferred lot size, you find that a kilo of MIDAZOLAM goes for 9.2 million dollars (\$9,000,000.00) while the DEMEROL goes for a mere \$550,000.00.

I made a special effort to find out about the most expensive item on the list, item 15, entitled SPECIAL PROCEDURE 3. It sounded like a "miscellaneous" item to me. I have been told in the past never accept a miscellaneous charge. I was told that it was probably "the room charge". I inquired "why not call it a room charge". On my oath I swear that I was told "maybe Medicare pays more for special procedures." The record should show that the only "room" she was in was the outpatient preparation and recovery ward of about 10 or 12 beds.

So the bottom line is that Medicare considers the rooms, nurses, equipment and supplies to be worth something a little more than \$203.80. Based on that amount, I find it hard to believe that 1199.00 is realistic. As you and I both know that there is no limit to the amount that the hospital can charge. They could have legally charged \$599.00 or \$1999.00 or more. It appears that in this case they charged an amount that they thought would pass the stink test.

Of the money that the hospital stands to receive, I will pay 54% and Medicare will only pay 45%. We need to convert to a payment system more nearly like non-hospital Medicare part B payments.

WHEN MEDICARE IS REFORMED, THE OUTPATIENT SCHEDULE MUST BE INCLUDED!

Sincerely,

KEITH L. ROBERTS.

#### PERSONAL EXPLANATION

HON. GEORGE R. NETHERCUTT, JR.

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1997

Mr. NETHERCUTT. Mr. Speaker, on Thursday, March 13, I missed House recorded No. 50, on final passage of H.R. 852, the electronic filing of Federal forms bill. I request that the RECORD reflect that had I been here, I would have voted "aye."

#### TRIBUTE TO BRIAN HAUCK, VETERANS OF FOREIGN WARS VOICE OF DEMOCRACY AWARD WINNER

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1997

Mr. SAXTON. Mr. Speaker, it gives me great pleasure to recognize the accomplishments of an exceptional American youth, Mr. Brian Hauck. Mr. Hauck is the 1996-97 Department of Europe winner of the Voice of Democracy broadcasting scriptwriting contest "Democracy-Above and Beyond" sponsored by the Veterans of Foreign Wars of the United States and its Ladies Auxiliary.

The value of monetary scholarships, bonds, and awards this program awarded was over \$2.7 million this past year. Brian plans to use his scholarship money to attend Washington University in St. Louis this fall where he hopes to pursue a curriculum that will assist him in becoming an astronaut. Brian is currently the president of both the Student Council and the Future Business Leaders of America at the Patch American High School.

The son of Colonel and Mrs. John D. Hauck, Jr., Brian resides in Germany where his father is currently assigned to Headquarters United States European Command. I am sure that his parents are extremely proud of the achievement of their fine son. I wish to have Brian's award winning essay entered in the CONGRESSIONAL RECORD for all Americans to read.

Freedom to succeed. Democracy is a government of the brave. As Americans, we are keepers of an institution that allows its people both success and failure. The strength of America is in the willingness of its citizens to take risks. From the earliest explorers to the modern businessman, the pioneering spirit has been the most important factor in the development of democracy and the key to America's position as a world leader.

Discovered by a man who had invested his entire fortune on a voyage to prove the world was round, America has always been a land of hope where dreams are fulfilled. She was first colonized by people seeking freedom from religious oppression in Europe. These settlers abandoned everything in the hope of finding a better life in a land halfway around the world. A century later, their ancestors faced tyranny from the rule of the British Monarchy. True to their blood, they declared independence and fought for freedom. Their reward was the opportunity to create the United States of America. It is no wonder that the government created by these brave men granted freedom from oppressive government and control over their own lives.

This same spirit of democracy and risk was still evident sixty years later as thousands of wagon trains headed west. Across the Great Plains and through the Rocky Mountains, pioneers battled disease, cold, and hunger to find a new life in the West. These people desired to migrate. They were not forced out by any tyrant, and they were not looking for an easy living. Even while knowing those hardships they would encounter, they trekked onwards, craving the opportunity to succeed or fail as fate willed.

As America raced against the Soviet Union to put a man on the moon, the true nature of

our democracy of risk became apparent. Unlike our Communist competitors, every astronaut involved in the Apollo program had volunteered. They desired the glory of setting foot upon the moon first, but such an opportunity would never have been surfaced within the structure of democracy. This spirit of exploration lives on as we continue our research in space and our expeditions to all corners of the globe. As a country, we must never forget our pioneering history.

220 years since the birth of this great nation, our society continues to respect the right of the individual to take risks. Ideas are only as valuable as the actions taken to bring them to life. When an American starts a company, he understands that it may fail, and that he may lose his entire fortune, or he may become the next multimillionaire. Whatever the outcome, he can take pride that he has the opportunity to try. Millions of people live under governments opposed to innovation. The willingness of the average American to take a chance is what has made the United States a prosperous and powerful country, and the freedom of the individual to succeed or fail helps to make American democracy the best form of government in the world.

#### IN RECOGNITION OF A HIGH ACHIEVING JOHN MARSHALL HIGH SCHOOL AMERICAN HISTORY CLASS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1997

Mr. KUCINICH. Mr. Speaker, I rise to recognize and honor the high intellectual achievement of a John Marshall High School American History class. This class of high school juniors and seniors has demonstrated a superlative command of the facts and a critical understanding of the meaning of American History. They are first among their peers, having won that distinction when they took first place in the State of Ohio finals of the "We the People" competition.

The "We the People" competition does not involve mere rote learning and short answers, but requires detailed research and study on specific areas of the Constitution and Bill of Rights. Students testify before a panel of judges, most of whom are judges and lawyers, as if they were testifying at a congressional hearing. The class is divided into six groups and each group is required to give a 4 minute prepared answer to one of three extremely complex questions. Each group must then answer extemporaneously 6 minutes of follow up questions posed by the judges. Through this trying ordeal, the students must demonstrate their understanding and ability to articulate in depth analysis of complex constitutional issues. All students must respond, not just the stars of the class.

The entire class, then, has earned a coveted honor as the State representative at the national competition. Under the tutelage of their teacher, George Klepac, the following students are commended by Congress for their work and achievement: Brigitte Beale, Alicia Bebee, Raenala Brown, David Buccioni, Tyessa Howard, Kasey King,



Deanna Lamb, James Lazarus, Kim Noeum, Ryann O'Bryant, Brad Schaefer, Tiwanna Scott, Matt Stevens, and Kim Chau Vo.

TRIBUTE TO JOAN GILBERT

**HON. NITA M. LOWEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mrs. LOWEY. Mr. Speaker, while there are those in Westchester who may not know Joan Gilbert personally, her work has touched the lives of countless people in our community. As manager of Community Affairs in the Public Relations Department of Texaco Inc., Joan has worked tirelessly on behalf of the citizens of Westchester.

In addition to her responsibilities at Texaco, Joan has been personally involved in many community-based organizations. Currently, she serves as chairman of the board of the Street Theater and is a member of the boards of the American Red Cross, Westchester Philharmonic, the Private Industry Council, and the Youth Counseling League.

Joan has received numerous awards for her outstanding civic activities. Organizations bestowing Joan with awards include: The American Heart Association, the Harrison School District, Westchester Putnam Affirmative Action Program, Rotary International, the Urban League of Westchester, and the Girl Scouts of Westchester.

Joan's corporate and personal support helped to sustain and expand nonprofit organizations throughout our region. She has contributed in enumerable ways to the quality of life in Westchester.

In spite of her retirement, Joan's influence will continue to be felt throughout our community. I know that Joan will begin this next chapter of her life with the same vitality that she has displayed while at Texaco.

THE INTRODUCTION OF THE PARENTAL LEAVE EQUITY ACT OF 1997

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Ms. NORTON. Mr. Speaker, today I introduce the Parental Equity Leave Act of 1997, a bill which will ensure that employees who choose to care for a foster child or adopt a child will benefit from the same leave policy as their coworkers who are birth parents. This bill does not mandate that employers provide leave benefits beyond existing law, but rather that if they choose to provide such benefits, they do so for all parents equitably. The bill does no more than remove discrimination against foster and adoptive parents at a time when Congress and the President are urging Americans to come forward in far greater numbers as foster and adoptive parents. Because the employers who offer leave benefits beyond existing law are generally larger businesses and the number of children is very

EXTENSIONS OF REMARKS

small, the bill will not burden employers and the costs will barely register.

The Family Medical Leave Act of 1993 [FMLA] provides that employers must grant up to 12 weeks of unpaid, job-protected leave for adoptive, birth, and foster parents to care for a new child. Although some employers go beyond the mandate of the act and provide additional parental benefits, such as paid leave or the use of sick leave by employees with a newborn, they often extend such benefits only to birth parents and not to foster parents or parents who adopt. My bill merely tracks the FMLA, correcting this inequity by providing that if an employer allows additional leave benefits for the birth of a child, the employer must not discriminate against the parents of a foster child or an adopted child, but must provide the same leave. Thus, my bill does not require employers to provide leave policies beyond the requirements of the FMLA, but provides only for equal treatment for adoptive and foster parents, in keeping with the intent of the original legislation.

The reasons for granting parental leave to both foster and adoptive parents overlap and merge, but both need the same leave benefits as birth parents, perhaps more so. There is an acute foster care crisis in the United States, with many more children in need of such care than there are foster or adoptive parents. Foster children are generally older children who have been removed from their own homes. Often they are children with specific needs. Increasingly, they have been abused or have parents with debilitating problems such as drug abuse and are hard to place. Thus, a foster parent will normally have a greater challenge of adjustment than a birth parent. A foster parent must acclimate to a child who already has set habits and personality traits. The foster child is sometimes intimidated by being thrust into her new surroundings. She may have come from dangerous or even life-threatening circumstances. In addition, foster care systems, especially those in large cities often are in great disrepair. A recent GAO study reported disgraceful circumstances for the care of many of these youngsters, a situation that is pervasive throughout the United States. The wreckage left behind by failed foster care systems is often reflected in the lives of foster children. They clearly need their parents in their new home as much, and probably more than the newborns who are the major recipients of the FMLA.

Adopted children are generally not as old as foster care children and may not generally come to their new families from troubled circumstances. However, because most adoptive parents are caring for an infant or young child, their situation is similar to the parents of newborns. There is no reason, therefore, to treat them differently than birth parents.

There are few foster or adoptive parents in any single workplace, guaranteeing that the effects on the employer would be small, in keeping with the policy of the FMLA. I urge my colleagues to support this bill to help ensure that foster parents and adoptive parents receive the same opportunity as birth parents to bond with a new child and to acclimate that child to her new family and surroundings.

TRIBUTE TO CAPT. NICK BARISKI

**HON. LYNN C. WOOLSEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Ms. WOOLSEY. Mr. Speaker, I rise today to pay tribute to Capt. Nick Bariski, a man who lived a remarkable life, and who made many contributions to his community before recently passing away.

Captain Bariski served his country for many years in the United States Army, rising to the rank of Captain. After settling in Marin County, Captain Bariski continued his dedication to the Armed Services by serving as local chapter President of the Retired Officers Association for an unprecedented three separate terms.

As the President of this esteemed organization, Captain Bariski continually lobbied for the rights and interests of both retired and current members of the Armed Services. He represented his local chapter at various regional and State meetings, served as a member of the executive committee, and was present to provide valued counsel to other retirees.

Mr. Speaker, it is my great pleasure to pay tribute to the life of Captain Nick Bariski, a man whose generous contributions to his country and his friends will always be remembered, not only in the hearts of those he touched personally, but in the lives of those who have benefited from his tireless work on behalf of all military retirees.

THE PARTNERSHIP TO REBUILD AMERICA'S SCHOOLS ACT OF 1997

**HON. RICHARD E. NEAL**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. NEAL. Mr. Speaker, today, I join Congresswoman LOWEY in cosponsoring legislation that furthers the education initiatives that President Clinton has promoted. The Partnership to Rebuild America's Schools Act of 1997 would provide much needed funding for the rehabilitation and construction of schools in this Nation.

This act gives States and local communities increased flexibility with the financing of school construction. Specifically, the Act provides up to a 50 percent subsidy of interest of financing costs to school districts which will underwrite repairs to existing schools or construction of new schools. The subsidies provided for in this legislation are determined by criteria met by each school district and community, most importantly the need of the community and lack of resources to meet that need.

The act appropriately targets those school districts that categorically are impoverished with the majority of their students living in poverty. The majority of the funds for subsidies apportioned by this act will be awarded to these communities by a formula based on the current "Title I" grant formula. Using this formula, the presently existing practice of providing educational assistance to the disadvantaged will continue.

Education has been made the No. 1 priority of the present administration. Insuring that the

children of this great Nation are afforded the opportunity to learn in an environment that is healthy, safe, well-equipped, and conducive to learning is a goal that we should strive to achieve. This act would assist our local communities in reaching this aim and would also provide local school districts with the capability of accommodating drastically growing levels of student enrollment.

In my district, the city of Springfield has been designated as one of the many school districts in need of rehabilitation and construction. In order to compete in the global community, we must ensure that all children in this Nation have received the best education possible. The first step is to improve the now existing condition of the many schools that are rundown, overcrowded, and technologically ill-equipped and make them into sound structures to provide a strong educational foundation for all children and their futures. I urge my colleagues to cosponsor this legislation and show their support for our schools and the education that they provide.

#### TRIBUTE TO THE NATIONAL BLACK LAW STUDENTS ASSOCIATION

##### HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. PAYNE. Mr. Speaker, in 1968, a small group of law students came together for the purpose of forming an organization that would be responsive to the needs of Black Law Students. Determined to rock the foundation upon which the legal system rested, those visionaries proclaimed themselves the Black American Law Students Association [BALSA]. The signers of the charter were A.J. Cooper, LeSeur Stewart, Joseph Porter III, Ronald Mitchell, Robert Holmes, and Barry Robinson. The first annual convention was held in the spring of 1969 in Chicago, IL and approximately 30 chapters were represented. BALSA focused its energies on those issues relevant to black people and black law students, and was able to use its influence to improve the positions of both.

In 1983, the word "American" was removed from the organizations name in order to encompass all blacks, including those not of American origin, "National" was added to reflect the extent to which the organization had expanded. The organization is now known as the National Black Law Students Association.

This week, the National Black Law Students Association will hold its 29th annual convention in Las Vegas, NV. Since its inception in 1969, its numbers have grown significantly. Currently, NBLSA is comprised of over 200 chapters, representing nearly 6,500 law school students throughout the United States and Puerto Rico. NBLSA stands alone as the primary symbol and mouthpiece of black law students across the United States. It continues to encourage excellence and success among black law students by providing scholarships and job opportunities.

Capitol Hill has also witnessed the spirit and dedication of the organization. Just last fall,

during the Congressional Black Caucus' Legislative Weekend, NBLSA's national chair spoke on a panel I sponsored entitled: "Literacy: The Cornerstone of African-American Achievement." Mr. Speaker, please join me in congratulating the National Black Law Students Association on their 29th annual convention.

#### REPUBLIC TIGERS AND THE RITZVILLE BRONCOS TRIUMPH ON THE BASKETBALL COURT

##### HON. GEORGE R. NETHERCUTT, JR.

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. NETHERCUTT. Today, I want to congratulate the boys basketball team of Republic High School in Ferry County, WA and the girls basketball team of Ritzville High School in Adams County. On Saturday, March 8, 1997, their many hours of practice paid off when they defeated strong teams and won the Washington State B Basketball Tournaments.

Neither team went into the tournament as the favorite. Indeed, the Republic Tigers almost didn't make the tournament at all. But under the leadership of dedicated coaches, these teams defied the odds and stunned the State, proving that to triumph, confidence, and teamwork are as important as athletic skill.

Under the leadership of Coach Rory Rickard, the Republic Tigers boys team came from behind in four games on their road to the final round. In the finals, they defeated the Reardan Indians 38-36. The new State champs had been the fourth seed in district 7.

Chuck Wilson serves as the Tigers' assistant coach. The boys State champions are Chad Dinkins, Dave Hanks, Jason Baldwin, Dan Hanks, Kenny Glidden, Sam Hadden, Mark Rickard, Dan Hargrave, Lonnie Grimm, Kris Kuchenmeister, Dorian Russell, Steve Davenport, and Chris Wilson. Tyrus and Cory Rickard as well as Josh Burnside served as managers, and Rebecca Hutton and Ryan Rickard kept the team's statistics.

Guided by coaches John Foulkes and Howard Manke, the Ritzville Broncos defeated the Wilbur-Creston Wildcats and won the Washington State Girls B Tournament. With a 33-26 victory, the Broncos claimed their second State championship, having last won it in 1979.

The players for the championship team are Tracy Warriner, Jennifer Kramer, Erin Weber, Jennifer Horpedahl, Megan Wellsandt, Katie Kirkendall, Shannon Russell, Megan Yerxa, Jamie Alspach, Jaime Wellsandt, Cariye Zicha, and Jennifer Janzen. Managers are Kristen Kramer and Crystal Zicha, and Leona Akers and Cassie Stegmeier served as the team's statistician. Congratulations to them all.

It is a great honor for eastern Washington that both the boys and girls State basketball champions—as well as the runners-up—come from our region. I hope their success will encourage others to pursue their goals, recognizing that to succeed, players need to practice and learn to work together as a team. They must not let the odds discourage them and remember always to do their best, remaining confident in their abilities.

It was these skills which enabled the Republic Tigers and the Ritzville Broncos to triumph on the basketball court. And it is these skills which will enable students across the country to succeed, whether in an athletic arena or whatever other endeavor they should choose to pursue.

#### CLARIFICATION OF RECORDED VOTE

##### HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. BRADY. Mr. Speaker, on rollcall vote No. 48 held March 13, 1997—final passage of House Joint Resolution 58 relating to the decertification of Mexico—I inadvertently registered a "no" vote on final passage when a "yes" vote was my intention.

This clarification is necessary to reflect my support for the decertification of Mexico as previously indicated by my recorded support for the measure in the House International Relations Committee, the three rollcall votes previous to final passage and my floor remarks in support of House Joint Resolution 58 as presented during debate on the House floor.

#### DEMOCRACY—ABOVE AND BEYOND

##### HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. SANDERS. Mr. Speaker, enclosed is a copy of a speech by Micah Genzlinger, a senior at South Burlington High School in Vermont. Micah is the Vermont winner of the VFW's Voice of Democracy broadcast scriptwriting contest. His speech reflects a passion for democracy of which I am proud. I am inserting his speech in the CONGRESSIONAL RECORD as I believe it will benefit my colleagues.

#### DEMOCRACY—ABOVE AND BEYOND

(By Micah Genzlinger)

If I may, I would like to briefly tell you a little about my life. When I was born, my parents had the freedom to give me any name they wanted. They had the freedom to teach me what they thought was important. They had the freedom to show me what they thought I should see. They had the freedom to choose what kind of school I should attend. The freedom to bring me up in a family where they see the values, shared their belief in God, and taught what they considered right and wrong.

As the decisions became mine, I could choose who I was friends with, what types of music to listen to, what kinds of clothes to wear, what sports to participate in, and many other things. Soon I will be making bigger decisions: who to vote for in the elections, what college to attend, what I should do with the rest of my life, what religion I should study, and more. I am even free to disagree with what my parents taught me.

You may wonder why I told you about my life. Well, I did it for one reason only, to show you how good we have it in a democracy. Some don't believe we are any better



off, but only in a democracy do you have the freedom to say what is on your mind and to express your inner-self without fear of punishment from the government. We have the freedom to choose our jobs and to choose what cities to live in. We also have the freedom to decide how we are going to live; whether that be in an apartment or in a house.

Some say the government is holding us down. I ask those people to look around the world. To look at the countries that decide what its youth will do with their lives without having any say, or look at the countries that kill people for speaking out against the government. Look at countries that limit the number of children a single family can have. Then try to tell me that we are worse off living in a democracy.

I think my generation has become used to the fact that we have so much freedom and does not understand the true value of our democracy. When I watch the news on television I see the scenes from Bosnia or the Middle East, I am reminded that we have a very special freedom. When I look back in history at the walls constructed in Germany, I can't even imagine what it was like living in fear of being jailed for doing nothing wrong, or not even being able to see any of my family members because they were on the other side of the wall. Most of all I can't even imagine what it would be like not being free.

Our country is not perfect. We have poverty, unemployment, crime and many other problems. But we have the most important things: a democratic country that allows us to make our own decisions, to live the way we want to live, to work at the job we want to do, to raise as many children as we feel we should have, and so much more. But most of all we can be free.

TRIBUTE TO THE BUEHLER CHALLENGER AND SCIENCE CENTER  
IN PARAMUS, NJ

**HON. MARGE ROUKEMA**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mrs. ROUKEMA. Mr. Speaker, I rise to congratulate the Buehler Challenger and Science Center in Paramus, NJ, for having served 50,000 visitors in its brief history. This milestone is anticipated to take place in the next few weeks and shows the strong demand for the services of this highly educational facility.

The Buehler Challenger and Science Center was dedicated September 6, 1994. It is a mockup of the space shuttle and its control centers and allows students who dream of the stars to come as close to space flight as they can without leaving the ground. In the process, it teaches a myriad of lessons about science, math, thinking, problem-solving, teamwork, and self-confidence.

The center is named for Emil Buehler, an aviation pioneer whose experience ranged from the biplanes and dogfights of World War I to the beginnings of the shuttle program before his death in 1983.

This center presents the young people of New Jersey with a taste of the many challenges in sciences and technology that await them as we enter the 21st century. The children who visit this center will see advances in

science and technology during their lifetimes we cannot begin to imagine. Our children are our future and this center helps ensure their future is a bright one.

Students who have taken the Buehler center's "fantastic voyage" are transported into a whole new world. And, like astronauts returning from space, they bring back with them invaluable knowledge about themselves and the world around them. This knowledge will help them aim for the stars as they pursue new heights in math, science, and technology.

Inspiring children through facilities such as this is essential to initiate and maintain interest in technology among our young people to enable them to meet the demands citizens will face in the next century. This is essential to maintain our position in the global economy of the future.

Unfortunately, but true, many children decide as early as elementary school that they have no interest in science. Too many believe they can't "do" science or that math is "too hard." The result, according to some estimates, is that America will have a shortage of half a million chemists, biologists, physicists, and engineers by the year 2000. The Challenger Center is helping reverse that trend. Fortunately, these same students are fascinated by space subjects, especially astronauts. This unique, hands-on experience can raise students' expectations of success, foster in them a long-term interest in math and science, and motivate them to pursue careers in these fields.

It is only natural that the Challenger Center can be a way to reach students uncertain about science. Since the inception of the space program, NASA and the Nation's education system have traveled parallel paths. They share the same goals—exploration, discovery, the pursuit of new knowledge, and the achievement of those goals is interdependent. NASA depends on the education system to produce a skilled and knowledgeable work force. The education community, in turn, has used the space program to motivate and encourage students to study science, engineering and technology.

If the United States is to remain at the forefront of space science and aerospace technology and research, then we must provide students with the skills they will need in a highly complex and technical workplace. The next generation of science and technology achievements can only be as good as the education and challenges we give our children in those subjects today.

The children who visit this center today could easily turn out to be the scientists of tomorrow. Who knows what discoveries they will make or new technologies they will develop? Their work could be as dramatic as the airplane was to our grandparents or the space shuttle to us.

Even for those who don't enter the world of science, this center offers an insight into the technological world around them. If we think it's vital to be computer literate today, imagine the skills that will be required in another generation.

An important aspect of this challenge to learn is that some believe the United States is no longer challenged. With the demise of the Soviet Union and the end of the cold war, we

no longer have the type of outside challenge that pushed us to the Moon. Remember, it was the insult and shock of Sputnik that led President Kennedy to launch the space program.

If we are not to be challenged by another nation, we must challenge ourselves. We must make a commitment to go where no one has gone before, to explore and learn and never be satisfied that there are no challenges left to meet.

Today I'd like to challenge our young people to continue the record of meeting challenges that our Nation has exhibited in the past. The Buehler Center is part of the highway to a future where the American thirst for knowledge will keep our Nation the world's leader in science and technology.

MAKING A CASE FOR DIVERSITY  
IN THE SCIENCES

**HON. LOUIS STOKES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. STOKES. Mr. Speaker, on February 21, 1997, I was honored to have Dr. Walter E. Massey visit my congressional district. Dr. Massey is the president of Morehouse College in Atlanta, GA. Morehouse is one of our Nation's most distinguished institutions of higher learning. Dr. Massey, a Morehouse alumni, is the former Director of the National Science Foundation. He has also held a range of administrative and academic positions, including provost and senior vice president of affairs of the University of California.

When he visited my congressional district, Dr. Massey utilized the occasion to address an issue of critical importance to this Nation and its people. In his remarks at the City Club of Cleveland, he spoke from the topic, "Making a Case for Diversity in the Sciences."

Mr. Speaker, Dr. Massey delivered a speech which was insightful and thorough. I want to take this opportunity to share a copy of Dr. Massey's remarks with my colleagues and others throughout the Nation. It is certainly worthwhile reading.

MAKING A CASE FOR DIVERSITY IN THE  
SCIENCES

(Walter E. Massey, President, Morehouse College)

I will be speaking with you this morning about diversity, and making a case for diversity in the field about which I am most knowledgeable, the sciences. I will focus on the ends and goals of diversity—a society that is enriched by the contributions of all its members—and on what, for now, I see as one of the best ways of achieving those goals—affirmative action.

Indeed, affirmative action is one of the most highly debated issues in the United States today. The recent vote on Proposition 209 in California, and the decision of the Board of Regents at the University of California to abolish many of its affirmative action programs during a time I was at the University, are among the most visible examples of a retrenchment from the support of affirmative action in the nation. Legal cases challenging affirmative action in Texas and Virginia, and recent Supreme

Court decisions on hiring policies and set-asides, have made this issue one in which the nation has become deeply involved.

It is not my intention this morning to speak in detail about affirmative action, in general, in the United States. What I would like to do, however, is make the case that the ends toward which affirmative action programs have been aimed—that is diversity and inclusion in all aspects of American society—are ends that are worth the struggle, conflicts and controversy that affirmative action programs now generate. By focusing on the long-term benefits that will result from such programs, I would hope that we might somewhat diffuse the emotionalism and confrontation surrounding current programs. Although I have few doubts that those arguments will go away.

I would like to make the case today that, at least in the sciences, the area in which I have spent my life, the end results of having a more diverse representation will more than pay for the nation and the world, and because of that, justifies our having affirmative action programs at present.

If it is not clear, I should go on record by saying I am a supporter of affirmative action. I am convinced that affirmative action—which I define as providing equal access to opportunities to all people—is not only a necessary corrective action to address past injustices that have limited the access of minorities and women to opportunities in education, employment, politics, the sciences and other areas, but a necessary positive action for the long-term benefit of our nation.

Having said that, I should also say that I do not believe that all affirmative action programs, as they are currently cast and operated today, should be embedded in perpetuity. I see affirmative action as an access tool, not an entitlement benefit. As President Clinton has said, some programs need at this point to be *mended*, not ended. Our goals should be, at some point in the future, to be able to end affirmative action programs.

But, until we live in a much more perfect world than we live in now, a world where the playing field is level for everyone regardless of their race or sex, we will need affirmative action programs, or their equivalent, to obtain goals that are in the best interest of society as a whole.

For, despite some significant gains in the past 30 years, the reality is that in too many places, including our board rooms, courtrooms, laboratories, legislatures, and in the hall of higher education, women and other minority groups remain much underrepresented in proportion to their numbers in society, and, more important, with respect to their potential contribution to society.

We must do something to correct these imbalances. Not only is it our moral responsibility as a nation, but, I believe—and this is the crux of my message to you today—providing equal access to opportunity for all people is the key to our ability to prosper and thrive in the global metropolis that our world is fast becoming.

As a supporter of affirmative action, in general, with the particular goals I have elucidated, I am particularly supportive of any programs that will increase the number of previously underrepresented groups in the sciences. I am convinced that, perhaps among all areas of human endeavor, the sciences are likely to produce the kind of broad, enduring, societal benefits that accrue from the involvement of diverse participants.

And affirmative action programs—to the extent they are designed to encourage more

diversity by attracting and retaining to the practice of science individuals from varied backgrounds—will ultimately benefit all humankind.

I would also assert that the arguments I will make for diversity in the sciences can be made for business and commerce, higher education in general, the legal and health professions, government occupations, and in fact, all other fields. But let me make the case this morning for the sciences.

It perhaps goes without saying that the era that we now live in is justifiably labeled the era of science and technology. Never before in the history of the civilized world has science and technology so pervaded every aspect of our lives. And, never before has the pace of scientific innovation and discovery been as rapid as it is today. And, it cuts across every field within science (and technology) from physics to biology, materials to astronomy and the applications of science: medicine, microelectronics, energy production, environmental research, and the like.

Science plays a critical role in solving the problems of our world. Some futurists have even suggested that the prosperity of the human race depends on scientists' ability to make sense out of the mysteries that confront and baffle mankind. That may be overstated, somewhat. I would say that scientists, along with philosophers, theologians, and others, are needed to make sense of and solve the mysteries of the universe. Science will not do it alone, but it can not be done without science.

The study and practice of science also can have other associated benefits, not the least significant of which are the kinds of attitudes and abilities that can be gained from studying science.

The world over, nations are realizing more than ever that there most valuable resource is there people—in all their diversity. No nation can now afford to squander its human resources and to not take advantage of all the potential talent it has within its citizenry. "Developed" and "developing nations" alike are also recognizing that their citizens must not only have technical skills, but certain values, character traits, habits of mind, and principles that will allow them to function effectively in this rapidly changing world.

Some of those characteristics and traits are: a confidence in one's ability to learn and to continue learning after formal schooling; adaptability; flexibility; a willingness to tackle hard problems; curiosity; and a healthy sense of skepticism that causes one to examine every situation with "fresh eyes." Studying science enhances these characteristics and traits, and I would also argue that these are just the traits necessary for an "Innovative Society," a society that harnesses science for economic and social development.

Given the scope and importance of science in solving problems, probing the deep mysteries of life, and contributing to economic and social development, I believe that to fail to educate and apply the skills of people of all backgrounds to the field of scientific endeavor is equivalent to operating a high-performance race car on four cylinders rather than eight.

But operating at less than our full capacity is, in effect, what we have been doing—given the fact that minorities and women are still grossly underrepresented in the sciences.

There has been progress, and the makeup of American science has changed considerably over the past few decades. The people

who do science in America are no longer mostly white Anglo-Saxon Protestants, and they certainly do not come from an exclusively upper-class stratum, as they were and did in the 19th century.

Thankfully, we have begun to recognize that ideas and insights come to individuals, not groups or communities. Scientists in the United States now include men and women from all ethnic groups: Jews, eastern Europeans, increasingly Asian Americans, Hispanics, and African Americans. In fact, the first three groups, Jews, eastern Europeans and Asians, have perhaps done more than any other ethnic groups to make American science as preeminent in the world as it is today. And African Americans and others have made, and continue to make, important contributions in many scientific fields, including chemistry, physics, biology, mathematics and engineering.

Yet, according to the National Science Foundation, ethnic minorities, who comprise approximately 21 percent of the population, account for less than 5 percent of all scientists in the United States.

Underrepresented groups—groups that have not in the past been exposed, allowed, or encouraged to study science—have to be brought into the mainstream, not only out of a sense of fairness and equity, but out of a sense of national and global need. And that's where affirmative action comes in. As a tool to more effectively tap the talents of women and minorities, affirmative action not only helps right the wrongs of the past, but ensures equal access to opportunity in the future.

The fact that many people see affirmative action as a win-lose proposition is the result of a narrow view of the issue, a focus on the means of affirmative action—the goals, quotas, and set-asides—rather than the ultimate goal of affirmative action—a society that is enriched by the contributions of the talents and energies of all its people.

The job of helping to ensure diversity in the sciences, of attracting people from different backgrounds to the field and preparing them to make meaningful contributions, falls largely to our nation's educational institutions. For it is often in classrooms that students' eyes are first opened to the reality of who they are and to the possibility of who they might become. According to the National Science Foundation, only about 5 to 6 percent of people surveyed each year are "scientifically and technically literate." And these are adults! Somehow, despite our best efforts, our schools are failing us in this important area.

We understand some of the reasons for those embarrassing statistics. Many youngsters (and adults), quite often fear science, or fear being able to understand it. That fear leads to a distrust of things scientific and technical. This is one of the major attitudes that must be addressed early in life, before youngsters develop a lack of confidence and fear. This fear is learned; it is not natural. "All children are born scientists." Youngsters have a healthy curiosity about the world, and a confidence in their ability to understand things around them. This confidence and curiosity is too often allowed to lapse or be destroyed by poor teaching.

We need more diversity in science for the benefit of the nation and the world, and for the benefit of individuals in those groups that have been underrepresented for various reasons.

But this morning, I also want to make another argument for such diversity—that it is good for science, that science itself is enhanced by being practiced in a multiethnic



environment, that the practice of science is enriched and enlivened by the participation of individuals from a broad spectrum of ethnic and cultural backgrounds, and that the presence of minorities in the sciences makes a tremendous, positive impact on the field, and by extension, on the people it serves—all of us.

Science is more than just a utilitarian undertaking or endeavor that contributes to economic development and enhances our standard of living, although it is certainly that. Science is also an intellectual and humanistic endeavor. It is an expression of humanity's curiosity about the universe we live in and an expression of an innate, embedded desire in us to understand and make sense of our surroundings and ourselves. Questions such as what is the origin and fate of the universe? How did the world begin? Why is there life and what is its meaning? These are deep philosophical and religious questions. But at bottom, they are also fundamental questions of science.

Since the beginnings of history, every culture and every ethnic group has puzzled over these and similar questions, and has devised some sort of system to explore answers and construct explanations to these mysteries. The explanations have often been crude and primitive, and have varied by culture and geography. But, they have been aimed basically at the same end—to understand the world and our place in it.

Every society throughout history, no matter what its social or ethnic makeup, has contributed to our understanding of the universe and has helped to build the edifice we now call modern science.

Science and technology are cultural phenomena in the broadest sense. Although the laws of science and rules of technology do not apply differently to different groups, science and technology are enriched by including more individuals from different backgrounds and different perspectives—because they have a different lens through which phenomena are viewed. People from different backgrounds can bring different and unusual insights to the study of science and applications of technology—not necessarily because of their racial or cultural heritage—but because of their complete life experiences among which their racial and cultural heritage is a part.

Making a case for diversity in science and technology, or in any other field for that matter, can be boiled down to mathematical logic: When we are inclusive rather than exclusive, we have more people, more creative power at our disposal. Gerald Holton, a physicist, historian of science, and colleague of mine at Harvard University, put it this way:

"I would conclude that it is not only possible, but almost inevitable, that we might capture novel or unusual insight into the understanding of the universe from people who have different life experiences or come from different cultures—simply because the larger the pool of well-trained and hard-working people, the larger the probability of novel and unusual insights. In this sense, excluding potential scientists is a crime against the ethos of science itself."

The fact of the matter is that brilliance and genius are not confined to particular ethnic and racial groups. Science and technology profits and prospers—and everyone benefits—when the best and brightest are part of its activities.

I submit that a similar argument can be made for almost any field, profession or human endeavor. All will be enriched and enhanced by diversity. The goal of affirmative

action—as I see it—is to help us as a nation evolve into a society where we judge people as individuals—regardless of their skin color or ethnic heritage, and where such diversity occurs naturally. Unfortunately, we have not reached that point. We are not yet where Martin Luther King Jr. wanted us to be, where people "will not be judged by the color of their skin, but by the content of their character."

Where are we along this path? Let me close by saying a few words about the sciences in that regard.

Fortunately, progress is being made on several fronts. High school and elementary school reform efforts throughout the country have been started and are addressing, in very fundamental and exciting ways, the problems of improving the quality of science education at the K-12 level. Colleges and universities are also responding to the challenge as well, by improving the quality of undergraduate and graduate science teaching.

Historically black colleges and universities, which grant bachelor's degrees to 30 percent of the African Americans who pursue majors in science and engineering, continue to play a critical role in this regard. Since the 1989-90 academic year, the number of degrees awarded by the member institutions of The College Fund/UNCF have increased 64 percent in biology, 39 percent in mathematics, and 31 percent in physics and chemistry.

At Morehouse College, more than 1/3 of our graduates are in science and engineering. And, last year at Morehouse, we received federal support to establish a Center of Excellence in Science, Mathematics and Engineering Education. The Center's mission is to increase the number of underrepresented groups pursuing careers in science, mathematics and engineering by providing scholarships and recruiting male and female high school students to participate in intensive summer programs, and by providing professional development activities and research experiences for public high school teachers.

I do not single out this program because it is unique, but because it is an example of the kind of initiatives we need more of to ensure diversity in the sciences, and to ensure that our world will not be cheated out of the best we—that is all of us—can offer.

As I indicated earlier, the arguments I have made for diversity in the sciences are equally compelling when applied to business and other fields. In fact, American businesses particularly those that are becoming more and more multi-national and global in their operations, are making these arguments. No major American company has renounced its commitment to diversity. In fact, if anything, these companies are enhancing their commitment.

It is ironic that when it comes to affirmative action, the most potentially retrogressive sector of American society is not the business and commercial world, but higher education—an area we would hope and expect to lead the nation in setting a positive example for inclusion and diversity.

The University of California, a multi-billion dollar operation, is the only major institution in the nation that has formally withdrawn its commitment to such programs. Only one board of directors or regents of any institution in the nation has voluntarily changed its course, and that is a major university. There is a message in this for those of us in higher education.

This development is particularly sobering when we reflect on the fact that the birthplace of the Civil Rights Movement, and in

many ways, the birthplace of the feminist movement for equal rights for women, grew out of the protest activities and the scholarly writings and research of individuals in the university and college community.

Indeed how ironic—and how unfortunate—it would be if we allowed higher education institutions, which have paved the way for so much progress in the area of diversity, to be the vanguard leading us back into the past.

I do not think this will happen, for I know the vast majority of my colleagues in higher education are committed to a vision of an inclusive, diverse society. But, it is incumbent on us in higher education, and indeed all of education, to continue to make the case, present the arguments, and marshal the evidence that the struggles and challenges of present-day affirmative action programs will ultimately benefit us all.

## PROTECTING PUBLIC LANDS

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1997

Mr. HINCHEY. Mr. Speaker, over the past 20 years, the demands on our public lands and resources have been steadily increasing. Growing interest in the kinds of recreational opportunities offered by our national parks, forests, and other lands has led to overcrowding at many of the most popular parks, and increased visitorship almost everywhere. At the same time, the need for the land management agencies to advance their mission of resource protection has also increased. Growth and development has reduced wildlife habitat, has increased the demand for pure and clean water, and has intensified the environmental stresses on undeveloped land, including many of the lands owned by all the American people and managed for them by the Federal Government.

But while the demands have been increasing, the share of the Federal budget devoted to these resources has been declining. The agencies have been asked more and more to pay their own way—as if the work they do did not benefit all Americans. The Land and Water Conservation Fund, originally intended to provide a secure and steady source of funding to acquire critically important properties for public benefit, has fallen into disuse: Its funds are now used primarily to lend money to the Treasury for other purposes.

If we have not seen the stresses on our parks and forests and refuges with our own eyes, all of us have at least read about them—the constant traffic at parks like Yosemite and Grand Canyon, the sagging roof at Independence Hall, the damage done to Anasazi ruins in the Southwest that the Government can't afford to guard. Our national treasures are decaying. Our citizens who want to visit and enjoy them can't be accommodated. And our natural resources—our pure water, our wildlife—are suffering.

It is time that we reverse direction and start increasing our investment in these resources, and increasing our attention to these problems. I'm pleased to say that over 150 organizations from all around the country—national

groups and local groups, conservation groups and recreation groups, sportspeople and environmentalists, hikers, hunters, fishers, and scientists, have joined together to endorse a specific and detailed proposal for gradually and steadily increasing investment in these resources over the next 5 years. Their proposal would help to alleviate the strain on the land management agencies, help them deal with their backlog of repair and restoration projects, and help them to serve the needs and demands of the American public.

Their proposal is by no means a budget buster. On the contrary, if we do not pay attention to these issues, we will be squandering our capital, the lands, and resources we hold in trust for the American people. We cannot afford to keep deferring these needs any more than we could afford to defer fixing a broken pipe or a leaky roof in our own homes.

We will be hearing more about this proposal in the months ahead, as we consider the budget and appropriations for next year. I am sharing it with all my colleagues in the House today, and I ask everyone to give it serious consideration. Appropriately, the great-grandson of President Theodore Roosevelt provided an introduction for the plan, carrying on his family's distinguished tradition of support for public lands and the protection of irreplaceable resources.

I am urging your full consideration of the attached funding recommendations—supported by 150 environmental, recreation, and conservation groups—for our public lands and wildlife systems.

America's public lands and resources belong to—and benefit—all citizens in numerous ways. They represent a magnificent natural heritage that will be squandered without adequate commitment of funding to support dedicated staff and other resources necessary for proper stewardship. These irreplaceable national assets: Protect wildlife, rare and endangered species, and other living resources; help to keep our air and water clean and pure; supply renewable and non-re-

newable resources; support vital industries like fishing and resource dependent recreation resulting in billions of dollars of direct and indirect economic benefits for local communities; generate millions of annual recreational visits by enthusiasts engaging in activities like wildlife viewing, photography, camping, family picnics, hunting, and fishing; provide untold hours of enjoyment for millions of American families as well as solace and renewal for those wanting the solitude of a wilderness experience; and satisfy our deeply rooted national ethic to keep wild America alive and thriving.

Given the overwhelming importance of these resources to present and future generations of Americans, the only fiscally responsible course is to invest adequately in their stewardship and management even as we take needed steps to balance the federal budget. Indeed, denying critically needed funding is fiscally irresponsible and shortsighted—the neglect caused by deficient funding will result in destruction and degradation of these valuable assets that is far more costly in the long run than providing the funds to properly care for them today. The attached proposal makes prudent and modest recommendations for necessary funding increases that will help to protect our public assets and ensure that our children and grandchildren will continue to enjoy and benefit from them.

As President Theodore Roosevelt said, "Wild beasts and birds are by right not the property merely of the people who are alive today, but the property of unborn generations whose belongings we have no right to squander." We owe our unborn future generations a fiscal legacy that acknowledges and sustains their natural legacy.

Sincerely yours,

THEODORE ROOSEVELT IV.

#### PUBLIC LANDS FUNDING INITIATIVE

##### INTRODUCTION

The public lands of the United States—our National Parks, Forests, Grasslands, and Wildlife Refuges—are held in trust for current and future generations of Americans. Since the election a number of organizations

from the environmental, recreation, and conservation community have been meeting to coordinate an initiative to address the funding needs of America's public lands. The public lands community plans to make this a long-term campaign that will help frame the budget debate while focusing on the message that we can balance the federal budget without abandoning America's public lands.

We plan to convince a majority in Congress that this is an area where additional cuts are not justified, and further, that incremental increases in the public lands budget are necessary to protect the nation's forests, parks, refuges, and wildlife. A successful effort will mean that we can maintain accessibility to these lands and improve their ecological health.

This proposal establishes annualized budget goals for several Department of Interior agencies and the U.S. Forest Service. The environmental, conservation, and recreational community will also be working toward eliminating ecologically damaging federal programs and subsidies.

#### BUDGETARY GROWTH: AN INCREMENTAL APPROACH

The following table depicts needed increases in FY97 spending levels for the 602(b) Interior and Related Agencies Budget Allocation. The table identifies the budgetary increases necessary to accommodate public land management over a six-year period. Under this scenario, much needed funding for currently unmet public land conservation needs can be achieved by FY03 through annual increases in the 602(b) budget allocation.

The FY97 Interior Appropriation, less emergency funds, is \$12.4 billion in budget authority. The first line in the table (Resulting Allocation) presents, in real dollars, the recommended annual funding increases relative to FY97 and not the total allocation for Interior and Related Agencies Subcommittee. The second line represents the funding additions to FY97 level for the agencies and programs specified in this document.

#### INCREASED 602(b) ALLOCATIONS: AN INCREMENTAL APPROACH TO BUDGET GROWTH INCREASES OVER FISCAL YEAR 1997 FUNDING LEVELS

(In billions of dollars)

	Fiscal years—					
	1997	1998	1999	2000	2001	2002
Resulting allocation .....	\$12.4	\$12.97	\$13.33	\$13.68	\$14.04	\$14.39
602(b) Increase .....	—	0.57	0.93	1.28	1.64	1.99
Increase from previous FY (%) .....	—	4.60	2.78	2.63	2.63	2.49

The proposal speaks to the funding needs and program areas of the agencies and programs identified herein only. It does not account for or anticipate changes in funding levels for other agencies or programs that also receive funding through the Interior and Related Agencies Appropriations bill. Nor does it anticipate specific cost savings or budget offsets that may be achieved through reductions in other programs areas within the Interior and Related Agencies Appropriations bill. It further does not address funding needs for natural resource and environment programs and agencies which receive funding through appropriation bills other than Interior and Related Agencies.

#### INCREASED FUNDING NEEDS

In developing our recommendations, we examined budget priorities for the four federal land management agencies: Fish and Wildlife Service, National Park Service, U.S. Forest Service, and the Bureau of Land Manage-

ment. In addition, we considered Land and Water Conservation Fund needs. Increases outlined for each allocation are to be achieved over a six-year period.

#### Fish and Wildlife Service: proposed increase of \$495 million

Increases are needed for the Fish and Wildlife Service in National Wildlife Refuge System (NWRS) Operations and Maintenance (O&M) and Endangered Species activities.

The National Wildlife Refuge System is the only federal public land system dedicated primarily to the conservation of fish and wildlife. Chronic underfunding of Refuge Operations and Maintenance has led to the degradation of refuge habitat and wildlife populations and put at risk popular wildlife oriented recreation programs. The Fish and Wildlife Service has identified a \$440 million maintenance backlog and an annual operations deficit of \$150 million.

More than 200 refuges have no staff and 97% of refuges operate at minimum funding levels with substantial maintenance backlogs. Exotic species, inadequate water supplies, and other problems plague many refuges, undermining the ability to meet wildlife objectives. Programs to help recover endangered, threatened, and candidate species, restore habitats, and address resource threats are left unaccomplished on an increasing number of stations. Continued failure to address this severe funding shortfall will jeopardize the integrity of the NWRS.

Funding for the Endangered Species Act has been chronically inadequate and the Agency has experienced an increase in tasks related to endangered and threatened species. For example, the Fish and Wildlife Service has become increasingly responsible for scientific monitoring for the conservation of endangered and threatened species on federal lands in addition to the increased costs related to designing and implementing



Habitat Conservation Plans. The Fish and Wildlife Service has been sharply criticized for failing to complete its duties, yet it has never been given adequate funds to accomplish its goals. The result is implementation that is sometimes scientifically weak or frustratingly slow for permit applicants.

Adequate funding will promote speedier, less costly recovery, and smooth implementation, ultimately minimizing conflict surrounding ESA. In addition, it is important to note that the anticipated reauthorization of the Endangered Species Act could result in new obligations under the law. The funding recommendations herein cover only current obligations and may require adjustment pending the outcome of reauthorization.

*Bureau of Management: proposed increase of \$150 million*

The BLM needs increased funding for Management of Lands and Resources. Because of the scope and diversity of its land base, the BLM faces the opportunities and challenges of managing for over 3,000 species of vertebrates and 25,000 plant species in habitats ranging from the Pacific sea coast to the arctic tundra to the Sonoran Desert. BLM lands offer a variety of recreational opportunities and cultural resources and generate significant associated revenues. Yet, many species in each of these habitats are experiencing degrading habitats and declining populations. Likewise, many public land recreational opportunities are either hampered by degrading resource conditions or are themselves the cause of public land resource damage.

Ecological and cultural resource monitoring, restoration, and protection must be elevated to a top priority for the BLM. To that end, funding for riparian restoration and protection, fish and wildlife management, and wilderness management must be increased, as well as funding for the management of cultural resources and recreational activities including staff support on public lands.

*Forest Service: proposed increase of \$225 million*

Estimates of Forest Service funding needs include Recreation, Ecosystem Research, Fish and Wildlife, and Trails. Funding in these and other critical areas fell short in FY97, and estimates indicate a need for incremental increases in funding for trails, recreation, and ecosystem research. Fish and Wildlife activities are also underfunded including migratory bird management, and Partners in Flight. The condition of the trails, campgrounds, restrooms, and other recreation facilities at our nation's forests is key to the public's experience outdoors. Maintenance and reconstruction funds have not kept up with increased use. For example, the Forest Service estimates that the value of the backlog of trail reconstruction work has climbed to over \$267 million.

The Forest Service's trail system is larger than all the other trail systems in the nation with over 124,000 miles of trail. Because of inadequate funds, the Forest Service has been deferring 20 to 30 thousand miles of trail reconstruction every year since the 1980s.

*National Park Service: proposed increase of \$600 million*

The National Park system today faces tremendous threats and challenges, including degradation of cultural, scenic, and natural resources, air and water pollution, internal and external development, and overcrowding. These threats have a direct impact on the quality of the National Park experience and the National Park Service's ability to protect and manage America's Park resources.

The Park Service's ability to adequately address these threats is limited by insufficient funding for monitoring, scientific assessment, research, resource protection and interpretation, and staff support. In constant dollars, the total National Park Service congressional appropriation declined by more than \$200 million between 1983 and 1997. At the same time, Congress assigned the Park Service more than 400 additional construction projects than it requested—costing more than \$867 million. In addition, Congress designated nine new heritage areas at the end of the 104th Congress without appropriating money to fund them. Finally, the Agency needs sufficient funds to enable it to address ongoing operations and maintenance needs and certain backlogged maintenance needs as well.

*Land and Water Conservation Fund: proposed increase of \$750 million*

Congress has provided for an annual revenue stream of \$900 million, funded primarily from OCS receipts, for federal and state land acquisition and recreation projects. Yet the average funding for these purposes over the last seventeen years has been approximately one-fourth of the authorized level.

Full appropriation of the Land and Water Conservation Fund is critical to provide for investment in natural and cultural resources conservation, watershed protection, wildlife habitat, and recreational resources. Unrestrained development and dramatic population increases threaten the quality of existing public lands. The need to purchase and conserve additional available land and water resources is increasingly urgent. This is true at the federal and state level, and the Congress should recommit to statewide assistance by funding the State Grant Program.

*USGS Biological Resources Division: proposed increase of \$60 million*

Increases are needed to supply the science support necessary to understand the biological resources located on federal lands, to assess the environmental changes impacting on these biological resources, and to develop recommendations for management actions necessary to conserve the lands for the future. No integrated monitoring strategy for Federal Lands exists which can inventory critical biological species and communities at the local level and suggest solutions to land managers for conservation of these resources. Additionally, Federal trust resources such as migratory birds and endangered species, common to all Federal lands are coming under additional pressure through degradation of wildlife habitats; more emphasis on science support for adaptive management recommendations for system management in aquatic resources, and integrate biological information with geologic, hydrologic, and demographic databases.

#### General

Particularly where the BLM and Forest Service are concerned, there are any number of environmentally beneficial cost savings and budget offsets that could be achieved by increasing revenues for extractive uses (mining, grazing) and by eliminating costly subsidies. In addition, the Fee Demonstration Program, commercial user fees, and concession fees are also potential sources of revenue and cost offsets.

While it is clear that substantial savings and budgetary offsets can be achieved through these types of reforms, the purpose here is not to develop a comprehensive package of recommended budget cuts and offsets, but to identify the unfunded and under-

funded spending priorities that are being targeted by the public lands community.

ALEXIS HERMAN, SECRETARY OF  
LABOR NOMINEE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1997

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, today I rise to support a friend, and a confidant in Alexis Herman in her nomination for Secretary of Labor. Alexis Herman is no stranger to hard work. She has always worked hard to find practical solutions to the issues and challenges that American workers face. As Director of the White House Office of Public Liaison, Alexis Herman was known for her handling of delicate relations with diverse groups. President Clinton has given Alexis Herman a chance to put those skills to test again when he nominated her as Labor Secretary against the wishes of key labor constituencies. Mr. Speaker, Alexis Herman understands work and she understands workers.

Mr. Speaker, Alexis Herman has a proven track record. She is not only a longtime advocate for women and minorities but she is a product of a politically active home. Upon her graduation from Xavier University in New Orleans, she returned to her hometown of Mobile, AL, to help desegregate her old high school.

Mr. Speaker, I hope my colleagues here in the House and in the other Chamber look pass Alexis Herman being a woman and a Clinton supporter and realize her potential to be one of the best Secretaries of Labor this country can ever have. In my opinion, Alexis Herman is a wonderful choice for Secretary of Labor. She knows and understands working families' concerns, and I look forward to working closely with her.

I yield back the balance of my time.

THE PARTNERSHIP FOR REBUILDING  
AMERICA'S SCHOOLS ACT OF  
1997

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1997

Mrs. LOWEY. Mr. Speaker, I am very pleased to introduce the Partnership for Rebuilding America's Schools Act of 1997.

This is an exciting day for me. I began working on this issue with Senator CAROL MOSELEY-BRAUN nearly 2 years ago. Now, thanks to the leadership of President Clinton, we are finally beginning to tackle this problem.

Today, all over America, our schools are inadequate, overcrowded, and literally falling down. In Miami, students learn to read and write in temporary trailers. Here in our Nation's Capital, schools are closed for violating the fire code. In New York City, students dodge falling plaster and attend class in hallways and bathrooms.

A GAO report released last summer confirmed the worst. Record numbers of school

buildings across America are in disrepair. One-third of all schools—serving 14 million students—need extensive repairs. About 60 percent of schools need to have roofs, walls, or floors fixed.

With school enrollment skyrocketing, this problem will only get worse.

It's time for the Federal Government to act. The bill we are introducing today will provide \$5 billion in Federal funding for school construction across the Nation. Funds will be distributed to the 50 States and the 100 largest school districts based on the numbers of school children in poverty.

This bill won't completely solve the problem, but it will make a crucial difference. For the first time the Federal Government will enter into a partnership with our local communities to rebuild our schools.

We know that America is only as good as our schools—and we know that this is a local problem that deserves a national response.

The situation in New York City is dire. A survey conducted by my office revealed 25 percent of New York City public schools hold classes in bathrooms, locker rooms, hallways, cafeterias, and storage areas. Almost half of school buildings have roofs, floors, and walls in need of repair.

A report by the New York City Commission on School Facilities revealed the following: Nearly half of New York City's school children are taught in severely overcrowded classrooms; 270 schools need new roofs; over half of the city's schools are over 55 years old; and approximately one-fourth still have coal-burning boilers.

We simply cannot prepare America's children for the 21st century in 19th century schools. Students cannot learn when the walls of their classrooms are crumbling down around them. We can't teach computer technology next to coal-burning boilers.

I expect that there will be opposition to this bill. We know that not everyone believes the Federal Government should address this problem. I join today with the 41 original cosponsors of the Partnership for Rebuilding America's Schools Act to state that the Federal Government can no longer afford to ignore this ticking timebomb. Government at all levels must work together to solve this national crisis.

#### PARK OVERGRAZED BY EXCESSIVE NUMBERS OF ANIMALS

**HON. RICK HILL**

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. HILL. Mr. Speaker, Yellowstone National Park faces an environmental crisis. For the past 30 years, the pseudoscience of natural regulation has guided park management. Scientists recently testified before the Parks Subcommittee that natural regulation is foolish, misguided, and not an appropriate nor a practical management philosophy for wildlife management. Robert Ross, a retired Soil Conservation Service officer for range conservation, has been a close observer of changing range conditions and wildlife use in Yellow-

stone National Park. His comments urging hands-on, appropriate management of habitat are well made and I commend them to my colleagues. I submit his recent article into the RECORD.

[From the Gazette, Mar. 16, 1997]

#### CONTROLS ON HABITAT URGED

#### PARK OVERGRAZED BY EXCESSIVE NUMBERS OF ANIMALS

(By Robert L. Ross)

"A business that had been fascinating to me before suddenly became distasteful. I wanted no more of it. I never wanted to own again an animal I could not feed and shelter."

This remark was made by Granville Stuart, an early day Montana rancher, legislator and statesman. The remark was made in the spring of 1887 following a winter of severe cold and deep snow—a winter much the same as 1996-97.

One wonders if Yellowstone National Park officials have nightmares over the thousands of starving elk and bison in the park. Starving because there are five to six times more elk and bison in the park than the winter forage will support. Actually, park people are probably hoping for more of the critters to starve. That would help solve some of their overpopulation problems. However, it must be a terrible way to die. Shooting is more humane.

The park personnel try to cover their mismanagement by saying elk and bison are "naturally migrating animals." Cattle, horses and sheep are also naturally migratory. However, ranchers curtail their instinct to migrate by building and maintaining fences to keep them in the confines of the pastures and off their neighbor's land.

Ranchers also: (1) control their numbers to the available forage by selling excess animals for slaughter; (2) provide for adequate feed in adverse weather conditions; (3) control disease such as brucellosis, etc.; (4) encourage hunting on their private lands to control wildlife numbers.

In 1963-64 the Soil Conservation Service, at the park's request, conducted a range site and condition inventory of the Northern Winter Range. It was determined the range would safely carry about 350 bison and 5,000 elk plus smaller numbers of deer, moose, antelope and bighorn sheep. At this suggested animal population, the Northern Winter Range could be maintained in good condition.

When the elk and bison population was reduced to the available forage (in the 1950s and 1960s), there was very little migration of animals outside the park. Consequently there was very little threat of them transmitting brucellosis to cattle and horses and undulant fever to humans.

Excess of elk and buffalo in Yellowstone National Park have destroyed woody species such as willow, aspen, cottonwood, alder, serviceberry, etc. along the streams and rivers. This ecological change in vegetation has almost eliminated beaver, deer, moose and many species of waterfowl in the park.

Beaver ponds are critically important to the fishing streams and riparian areas. Beavers, needing cover and forage, are almost nonexistent. Streams no longer meander through lush meadows with woody shrubs providing shade and cover for fish, but are increasingly becoming one wide shallow gravel bar after another. Destruction of the natural woody species has caused the Lamar River, Gardiner River and other streams to erode their banks and create sterile gravel

bars. This not only causes soil erosion but creates very poor fishing habitat and is a sorry sight to look at.

The animals rights groups and other so-called environmental organizations such as Sierra Club, Wilderness Society, Greater Yellowstone Coalition, etc. should focus their attention on the land abuse being done to Yellowstone Park resources. However, shouting about bison being shot brings more money into their coffers from people who do not understand the whole problem. If pressure were brought to bear on Yellowstone National Park to take care of its own problem, the situation could be solved.

It is time for Yellowstone Park personnel to accept their responsibility and face up to their problem of too many animals and decimated rangeland resources.

It is time they were honest with themselves and the public. It is time Yellowstone Park becomes a good neighbor to Montana, Wyoming and Idaho and stop jeopardizing the brucellosis-free livestock industry. After many, many years of mismanagement it is time for Yellowstone National Park to start managing its 21 million acres of natural resources with integrity and professionalism.

#### STATE OCCUPANCY STANDARDS AFFIRMATION ACT OF 1997

**HON. BILL McCOLLUM**

OF FLORIDA

**HON. KEN BENTSEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. McCOLLUM. Mr. Speaker, today my colleague from Texas, Mr. BENTSEN, and I are introducing a bill, the State Occupancy Standards Affirmation Act of 1997 to assert the rights of States in establishing occupancy standards for housing providers. Currently, there is no Federal law to establish the number of people permitted to live in a housing unit. It is imperative that we ensure that States retain the right to set reasonable occupancy standards; our bill does just this.

There is a national consensus that the appropriate level for most apartment properties is two people per bedroom. Most States have adopted a two-per-bedroom policy, and HUD's own guidelines state that this is an appropriate level to maintain public housing and section 8 housing. Our bill goes one step farther to include infants. The reasonable standard, in the case that States don't have a standard, is two persons plus an infant per bedroom. Beyond this level, the negative effects of overcrowding can be triggered, including decreasing the stock of affordable housing.

However, HUD's Fair Housing Office has initiated legal actions over the past 3 years. And then in July 1995, HUD issued a memorandum, without any consultation, that would pressure housing providers to rent to substantially more than two per bedroom or be potentially subject to lawsuits charging discrimination against families.

All types of housing providers, including managers of seniors housing and public housing, were dismayed with HUD's proposal. If this change were permitted to stand, it would adversely impact all involved in housing, from



tenants who could be crowded into inadequate housing, to housing providers who would have to provide services for more residents than they may be equipped for, and whose property would deteriorate.

In the fiscal year 1996 omnibus appropriations bill, Congress disallowed HUD from implementing its July memorandum. But we need to go one step farther.

The bill we are introducing is a simple clarification of existing law and practice. It says that States, not HUD, will set occupancy standards and that a two-per-bedroom plus an infant standard is reasonable in the absence of a State law. American taxpayers have spent billions of dollars on HUD programs designed to reduce crowding. It is time to ensure that overcrowding will not be a possibility.

#### INTRODUCTION OF H.R. 1095

### HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1997

Mr. ARCHER. Mr. Speaker, today I rise on behalf of the Honorable CHARLES B. RANGEL and myself to introduce H.R. 1095, a bill that would correct a technical error originally contained in the Omnibus Budget Reconciliation Act of 1993. Specifically, the bill would correct the definition of the term "Indian reservation" under section 168(j)(6) of the Internal Revenue Code. This definition of the term "Indian reservation" applies for purposes of determining the geographic areas within which businesses are eligible for special accelerated depreciation (sec. 168(j)) and the so-called Indian employment tax credit (sec. 45A) enacted in 1993. As I explain in further detail below, the bill corrects the definition of Indian reservation for purposes of these special tax incentives so that, as Congress originally intended, the incentives are available only to businesses that operate on Indian reservations and similar lands that continue to be held in trust for Indian tribes and their members. It is my intent to incorporate the provisions of this bill into a larger bill, which I plan to introduce later this session, containing technical corrections to other recently enacted tax legislation.

Section 168(j)(6) of the Internal Revenue Code provides that the term "Indian reservation" means a reservation as defined in either (a) section 3(d) of the Indian Financing Act of 1974 (25 U.S.C. 1452(d)), or (b) section 4(10) of the Indian Child Welfare Act of 1978 (25 U.S.C. 1903(10)). The cross-reference to section 3(d) of the Indian Financing Act of 1974 includes not only officially designated Indian reservations and public domain Indian allotments, but also all "former Indian reservations in Oklahoma" and all land held by incorporated native groups, regional corporations, and village corporations under the provisions of the Alaska Native Claims Settlement Act. Thus, contrary to Congress' intent in enacting the special tax incentives for Indian lands in 1993, the reference to "former Indian reservations in Oklahoma" in the Indian Financing Act of 1974 results in most of the State of Oklahoma being eligible for the special tax incentives, even though parts of such "former In-

dian reservations" no longer have a significant nexus to any Indian tribe. For instance, it is my understanding that the entire city of Tulsa may be located within a former Indian reservation, such that any business operating in Tulsa qualifies for accelerated depreciation under present-law section 168(j). Providing such a tax benefit to commercial activities with no nexus to a tribal community would frustrate Congress' intent to target special tax incentives to official reservations and similar lands that continue to be held in trust for Indians. Businesses located on official reservations and similar lands held in trust for Indians were provided special business tax incentives in order to counter the disadvantages historically associated with conducting commercial operations in such areas, which were expressly excluded from eligibility as empowerment zones or enterprise communities under the 1993 act legislation (see Internal Revenue Code sec. 1393(a)(4)).

The bill I am introducing today would modify the definition of Indian reservation under section 168(j)(6) of the Internal Revenue Code by deleting the reference to section 3(d) of the Indian Financing Act of 1974. Consequently, the term "Indian reservation" would be defined under section 168(j)(6) solely by reference to section 4(10) of the Indian Child Welfare Act of 1978, which provides that the term "reservation" means "Indian country as defined in section 1151 of title 18 and any lands, not covered under [section 1151], title to which is either held by the United States in trust for the benefit of any Indian tribe or individual or held by an Indian tribe or individual subject to a restriction by the United States against alienation" (25 U.S.C. 1903(10)). Section 1151 of title 18, in turn, defines the term "Indian country" as meaning "(a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same" (18 U.S.C. 1151).

Accordingly, amending section 168(j)(6) of the Internal Revenue Code to define the term "Indian reservation" solely by reference to the Indian Child Welfare Act of 1978 would carry out Congress' original intent in enacting the special Indian tax incentives in 1993 by eliminating from eligibility those areas in Oklahoma which formerly were reservations but no longer satisfy the definition of a "reservation" under the Indian Child Welfare Act of 1978. It is my understanding that, even after amending section 168(j)(6) in this manner, numerous areas within Oklahoma will remain eligible for the special tax incentives because, even though such areas are not officially designated reservations, such areas nonetheless qualify as Indian country under section 1151 of title 18. Similarly, it is my understanding that lands held by native groups under the provisions of the Alaska Native Claims Settlement Act also would qualify as Indian country under section 1151 of title 18. Thus, if section 168(j)(6) were

amended to define Indian reservation solely by reference to the Indian Child Welfare Act of 1978, lands held under the Alaska Native Claims Settlement Act would continue to be eligible for the special Indian tax incentives. In this regard, it is my intent that, if it is brought to the attention of the tax-writing committees that there are any Indian lands that technically do not fall within the definition of Indian reservation under the Indian Child Welfare Act of 1978 but which could be made eligible for the special Indian tax incentives consistent with Congress' intent in 1993, then consideration will be given to further modifying the bill I am introducing today when it is incorporated into a larger technical corrections bill.

The technical correction made by the bill would be effective as if it had been included in the Omnibus Budget Reconciliation Act of 1993, that is, the technical correction would apply to property placed in service and wages paid on or after January 1, 1994. As a general matter, I oppose retroactive changes to the Internal Revenue Code. However, technical corrections to fix drafting errors in previously enacted tax legislation traditionally refer back to the original effective date to prevent taxpayers from receiving an unintended windfall. This bill corrects such a drafting error.

#### REDEFINING NATIONAL SECURITY

### HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 18, 1997

Mr. FRANK of Massachusetts. Mr. Speaker, on Monday, March 10, in conjunction with our colleague, the gentleman from California, the ranking Democrat on the National Security Committee, along with the senior Senator from Oregon and the senior Senator from Minnesota, I participated in a day long meeting on the implications of allowing the military budget to stay at its current levels while trying to reduce the Federal deficit to zero. The basic point that we and others made is that unless we begin to make substantial reductions in the military budget, we will devastate a number of other important social and economic goals of our society by reducing Federal support for them to an unacceptably low level.

But none of us would be for reducing American military spending if by doing so we were going to put at risk our national security. Therefore, we began the day with a discussion of the genuine needs of national security today, and the highlight of that was a thoughtful, well documented analysis of our national security situation presented by our colleague from California who is the former chairman and current ranking Democrat on the National Security Committee.

The gentleman from California who came to Congress in 1971, after winning an election in which his criticism of the Vietnam War was a central factor, has become one of the undisputed experts in the country on national security policy. As my colleagues know, he combines a strong passion with an extremely powerful analytic intelligence and the result is an eloquent, forceful statement of the case for a more realistic and comprehensive national security policy, one which would allow us to save substantial resources from the military budget.

Mr. Speaker, because the need to reduce the military budget and make funds available for important non-military purposes is the central issue facing this Congress, I take the unusual step of seeking permission to insert into the RECORD the extraordinarily thoughtful and useful remarks of Mr. DELLUMS on that occasion, even though it exceeds the normal length of remarks which are printed here. But with a military budget in hundreds of billions, tens of billions more than it needs to be, I believe that asking for the expenditure of a few hundred dollars here to bring the case for reduction before the American people is indeed a bargain.

STATEMENT ON THE VICTIMS OF  
ABUSE INSURANCE PROTECTION  
ACT

**HON. BERNARD SANDERS**

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 18, 1997*

Mr. SANDERS. Mr. Speaker, I rise today to discuss a terribly important topic: Domestic violence, and insurance companies' discrimination against women who are victims of domestic violence.

We do not know exactly how many women are domestic violence victims each year because the numbers are significantly underreported. An estimated 4 million American women are physically abused by their husbands or boyfriends each year, and 42 percent of women murdered in this country are murdered by their boyfriends or husbands.

I think we can all agree that the level of domestic violence in this country is a silent outrage, and it is absolutely unacceptable. That is why we must do everything we can to combat

domestic violence. Further, it is why we can and we must prevent profiteering insurance companies from adding insult to injury by economically victimizing women who have already been physically abused. They are reacting to battered women by battering them again.

We know that insurers have used domestic violence as a basis for determining who to cover and how much to charge with respect to health, life, disability, homeowners, and auto insurance. A 1993 informal survey by the House Judiciary Committee found that 8 of the 16 largest insurers in the country use domestic violence as a criterion in determining whether to issue insurance and how much to charge for it. State surveys in Pennsylvania and Kansas both found that 24 percent of responding insurance companies admit to such discrimination, and I know of two cases in Vermont.

Insurance companies give a variety of reasons for denying victims coverage or for charging higher premiums. Some insurers say domestic violence is a lifestyle choice, like skydiving or smoking. That is absurd. We know that domestic violence is not a choice, but a crime. Victims do not choose to live with their batterers, but are often forced to do so for economic and safety reasons. When a victim tries to leave her abuser, her life is often at great risk.

When insurance companies deny, drop, or charge more for coverage of victims of domestic violence, it has very serious consequences. It means that someone who already has reason to fear for her life has one more major reason to fear telling someone, and to avoid getting help.

This insidious insurance practice sends exactly the wrong message. We should be doing all we can to ensure victims of abuse seek help and get away from their batterers. Instead, insurance companies are telling women they must not only fear physical retribution from

their abuser, but also economic retribution from their insurer.

If a woman tries to get help, she must fear losing access to health care for herself and her family or insurance that provides for her family in case of death or disability. Battered women's shelters must also fear losing their insurance, as we have seen in my State of Vermont.

Insurance companies are effectively tearing down all the work that has been done over the last 20 years in creating safe havens and assistance for victims of domestic violence.

I am pleased to report that we had some success on this issue last year, when an amendment Congresswoman MORELLA, other Members, and I wrote for the Kennedy-Kassebaum health insurance reform bill became law. That amendment will ensure that victims of abuse will not be denied insurance in the group health insurance market. However, we still must prevent insurance companies from overcharging women because they are victims of abuse, and we must work to end this discrimination in all lines of insurance, not just health.

Today, we introduce legislation to protect victims of abuse across this country from being singled out as uninsurable.

Our bill, the Victims of Abuse Insurance Protection Act, prohibits all lines of insurance carriers—including health, life, property, auto, and disability—from using domestic violence in determining whom to cover and how much to charge for coverage. It has been endorsed by the American Bar Association, the American Civil Liberties Union Women's Rights Project, the Center for Patient Advocacy, the NOW Legal Defense and Education Fund, the National Coalition Against Domestic Violence, Women's Action for New Directions [WAND], and the Women's Law Project.